

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5619 of 2017

Mr. Manjit Kumar Gupta, S/o Pradeep Kumar Saw, resident of village -
Katrapar, P.S. Laheri, District - Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Food and Civil Supply Department, Old Secretariat, Patna, Bihar
2. The Collector, Vaishali, Hajipur
3. The Block Supply Officer Sahdei Bugurg, Vaishali

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Anand, Advocate
		Mr. Jyoti Ranjan Jha, Advocate
For the Respondent/s	:	Mr. Manoj Kumar, AC to GP-4

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT

Date : 13-08-2018

Heard learned counsel for the petitioner and learned
counsel appearing for the State.

2. Petitioner seeks a direction for release of his public carrier truck bearing Registration No. BR 21G 1545, which was seized by the Block Supply Officer, Sahdei Bujurg, Vaishali on being found loaded with 140 quintals of rice, for which Desri P.S. Case No. 159/2016 dated 26.07.2016 was registered under Section 7 of the Essential Commodities Act and Confiscation Case No. 12/2016-17 was also initiated before the District Magistrate, Vaishali.

3. Learned counsel for the petitioner submits that the rice being a free-hold commodity since 15.02.2002, the seized truck be released in his favour. In this connection, he relies on the



order of this Court dated 01.08.2018, passed in C.W.J.C. No. 10712 of 2018.

4. Having regard to the nature of prayer, this Court directs that the truck bearing Registration No. BR 21G 1545 seized in connection with Desri P.S. Case No. 159/2016, for which Confiscation Case No. 12/2016-17 was also initiated, be released in favour of the petitioner on furnishing sufficient security to the satisfaction of the learned District Magistrate, Vaishali within one week from the date of receipt/ production of a copy of this order. However, the said release will be subject to the result of confiscation/criminal proceeding pending before the court concerned.

5. Writ application stands disposed of accordingly.

(Nilu Agrawal, J)

Rajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.08.2018
Transmission Date	NA

