

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13589 of 2018

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Kiran Devi Wife of Mintu Bhagat, Resident of Village-Bishanpur, Aaran
Panchgachhiya, P.S. & District-Saharsa ... Petitioner

Versus

1. The State of Bihar through the Secretary, Food and Civil Supply Department,
Old Secretariat, Patna (Bihar).
 2. The Secretary, Food and Civil Supply Department, Old Secretariat, Patna
(Bihar).
 3. The Collector-Cum-District Magistrate, Madhepura.
 4. The Sub-Divisional Officer Madhepura.
 5. The Block Supply Office, Singheshwar, Madhepura.
 6. The Officer-in-Charge of Singheshwar Police Station, Madhepura
- ... Respondents

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Appearance :

For the Petitioner : Mr. Sunil Kumar Singh, Adv.
For the Respondents : Mr. S.Raza Ahmed, AAG V

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-08-2018 Heard the learned counsel for the petitioner and the

learned counsel appearing for the State.

Petitioner seeks release of her Pick-Up van bearing
registration no. BR-19GA-1240 seized in connection with
Singheshwar P.S. Case No. 31 of 2018, dated 13.02.2018, under
Section 7 of the Essential Commodities Act. Confiscation case
being Confiscation Case No. 16 of 2018 was also instituted
before the learned Collector, Madhepura, which is also pending
before the learned Collector.

It has been submitted by the learned counsel for the
petitioner that the petitioner is the owner of the Pick-Up van and
she is ready to furnish reasonable amount of security for release
of his vehicle and also refers to an oral judgment passed by this
Court in C.W.J.C. No. 11924 of 2018, dated 05.07.2018.

Learned counsel for the State appears and is heard.



Having regard to the nature of prayer of the petitioner, this Court directs that the Pick-Up van, bearing registration no. BR-19GA-1240 seized in connection with Singheshwar P.S. Case No. 31 of 2018, be released in favour of the petitioner within one week, from the date of receipt/production of a copy of this order, from the Court of Collector, Madhepura, where confiscation proceedings bearing Confiscation Case No. 16 of 2018 is pending, subject to furnishing of sufficient security to the satisfaction of the learned Collector, Madhepura. However, the petitioner would not dispose of, encumber the vehicle or would not create any third party interest during the pendency of the criminal or confiscation case.

It goes without saying that this order has been passed specially on the statement of the petitioner made in paragraph 12 of the writ application that the Confiscation Case No. 16 of 2018 is pending before the learned Collector, Madhepura.

With these observations and directions, this writ application stands disposed of.

(Nilu Agrawal, J)

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