

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13500 of 2018

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Suresh Sharma son of Bikrama Sharma resident of village+ Post Office-Miyan Ke Bhatkan, P.S. Husainganj, District-Siwan.

.... Petitioner/s

Versus

1. The Principle Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Superintendent of Police, Siwan.
4. The District Supply Officer, Siwan.
5. The District Marketing Officer, Siwan.
6. The Station Head Officer Police Station Hussainganj, District-Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav

For the Respondent/s : Mr. S.RAZA AHMAD - AAG-5

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

Date: 27-07-2018

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioner seeks release of his Bolero Camper D. vehicle bearing Registration No. B.R.-29F 6337 in his favour which was seized by respondent no. 6, the S.H.O, Hussainganj, Police Station and F.I.R. was lodged being Hussainganj P.S. Case No. 10 of 2017 for offence alleged under Section 7 of the E.C. Act as 16 quintals of wheat and 1.5 quintals of rice was found carrying for black marketing.

Learned counsel for the petitioner agrees to pay sureties, if the said vehicle is released.

Learned counsel for the State, however, submits that the



allegations are of black marketing of food grains which was seized from the said Bolero vehicle.

Considering the fact that the vehicle would become junk as investigation and criminal case is pending and the petitioner is ready to deposit sufficient sureties, let the said vehicle bearing Registration No. B.R.-29F 6337 be released in favour of the petitioner on furnishing of sufficient security as fixed to the satisfaction of the District Magistrate, Siwan in E.C. Case No. 242 of 2017-18 within a period of four weeks from the date of receipt of a copy of this order. However, such release would be subject to the confiscation case E.C. No. 242 of 2017-18 pending before the District Magistrate, Siwan.

Application is disposed off.

(Nilu Agrawal, J)

Devendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.07.2018
Transmission Date	NA

