

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1241 of 2018

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1. Krishna Sah S/o Bachchan Sah, R/o Vill.- Koirigava, P.O. and P.S.-
Barhariya, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar Through The Principal Secretary, Food And Civil
Supply Department, Government of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Sub Divisional Officer, Siwan.
4. The S.H.O. Barhariya P.S., Siwan.
5. The Block Supply Inspector , Barhariya, Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Respondent/s : Mr. Arvind Ujjwal (Sc-4)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 04-05-2018 Heard the learned counsel for the petitioner. No one
appears on behalf of the State.

Learned counsel for the petitioner submits that even
though an application for provisional release of the vehicle in
question has already been filed before the District Magistrate,
Siwan but the same is not being heard and disposed of despite
steps taken by the petitioner to get the matter heard as early as
possible.

This Cr. Writ application is being disposed of with a
direction to the District Magistrate, Siwan to hear and dispose of
the application preferred by the petitioner for provisional release



of the vehicle and pass an order thereon within a period of one month from the date of receipt/production of a copy of this order.

While considering the application for release, the District Magistrate shall not dispose of the application in a routine and mechanical manner. On the petitioner's producing the order, which has been passed by this Court in similar matters, the same shall definitely be considered by the District Magistrate while passing final order on the application for provisional release.

In case, the application is not disposed of within the aforesaid given period, the petitioner would be free to file an application in this very case for passing an appropriate order.

(Rajeev Ranjan Prasad, J.)

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