

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.485 of 2019

Arising Out of PS. Case No.-192 Year-2018 Thana- DAUDNAGAR District- Aurangabad

Rajdeo Prasad, Son of Late Bulki Ram @ Bulaki Ram, Resident of Village-
Daudnagar Tola Abdul Bari, P.S.- Daudnagar, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, General Administration Department, Bihar, Patna
2. The Collector-cum-District Magistrate, Aurangabad
3. The Senior Deputy Collector, District Legal Cell, Aurangabad
4. The Superintendent of Police, Aurangabad
5. The Sub-Divisional Officer, Daudnagar, Aurangabad
6. The District Supply Inspector, Daudnagar, Aurangabad
7. The Circle Officer-cum-Block Supply Officer, Daudnagar Aurangabad

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Respondent/s : Mr. Sheo Shankar Prasad, SC-8

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 11-03-2019

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

2. This writ petition has been filed by the petitioner for directing the respondents to release tempo bearing Registration No.BR-26H-5267 seized in connection with Daudnagar P.S. Case No.192 of 2018 registered under Section 7 of the Essential Commodities Act.

3. At the outset, it is conceded by the learned counsel for the petitioner that a confiscation proceeding is pending in



respect of the vehicle in question before the District Magistrate, Aurangabad in which a prayer has already been made for release of the vehicle.

4. As an application for release of the vehicle is already pending before the authorized officer under the Essential Commodities Act, a parallel application before this Court under Articles 226 and 227 of the Constitution of India for release of the vehicle in question cannot be maintained.

5. Accordingly, the application is dismissed as not maintainable.

6. However, the petitioner would be at liberty to press his application for release of the vehicle before the authorized officer.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.03.2019
Transmission Date	13.03.2019

