

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8684 of 2019

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Sanjay Kumar Son of Mahesh Prasad @ Mahesh Saw Resident of Village-
Chandihsthan, Police Station- Amas, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Food and Consumer Protection Department, Govt. of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Sub Divisional Officer, Sadar Gaya.
4. The Block Supply Officer, Town Block, Dist- Gaya.
5. The Officer In Charge, Chandauti Police Station, Dist- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Respondent/s : Mr.Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 27-07-2019 After some argument, learned counsel for the petitioner submits that since no confiscation proceeding has been initiated so far, the petitioner may be permitted to file an appropriate application in the court below where the FIR is pending, for provisional release of the vehicle in question on such terms and conditions as may be deemed just and proper in the facts and circumstances of the case.

Learned counsel for the State is present and has no objection to the same.

This writ application is being disposed off with liberty to the petitioner to seek his remedy for provisional release of the



vehicle in terms of Section 451 read with Section 457(2) Cr.P.C. in the court below. In case any confiscation proceeding has been initiated, the petitioner may seek his remedy for provisional release before the District Magistrate, Gaya (respondent no.2). In such circumstance, the court below or the respondent no.2, as the case may be, shall consider and dispose off the application of the petitioner within four weeks from the date of filing of the application.

This writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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