

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11879 of 2019

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Md. Safdar @ Safdar, aged about 40 years, Gender-Male, S/o Mustar Ali
Resident of Mohalla- House No. 230, Musalmanan Siyana, P.S.- Siyan,
District - Bulandsahar (U.P.)

... .. Petitioner

Versus

1. The State of Bihar through Secretary, Food and Civil Supply Department,
Old Secretariate, Patna, Bihar
2. The District Supply Officer Madhubani
3. The Block Supply Officer Pandual, Madhubani
4. The Officer In -Charge Sakri P.S., District- Madhubani

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Vijay Anand, Advocate
For the Respondents	:	Mr.Alok Ranjan, AC to AAG 5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date : 13-06-2019

This matter has been heard and is being taken up for final disposal at the admission stage itself with the consent of parties.

2. The present writ petition has been filed for provisionally release of truck bearing Registration No. UP 14 GT 6408 seized in connection with Sakri P.S. Case No. 73/2019 dated 12.05.2019 registered under Section 420/120B of the I.P.C. and 7 of the Essential Commodities Act in favour of the petitioner.

3. Learned counsel for the petitioner submits that the petitioner's truck has been illegally seized without any contravention of Section 3 of the E.C Act on his part and as such the said vehicle is fit to be released. Statement is made at the Bar that the petitioner has



filed an application before the Chief Judicial Magistrate, Madhubani for release of the vehicle in question which is however pending.

4. In the above circumstances, this Court is of the view that the interests of justice will be met by directing the Chief Judicial Magistrate, Madhubani to consider and dispose of the petitioner's application for release of the vehicle, if still pending, on its own merits, having regard to the provisions of Section 451 of the Cr. P.C. expeditiously and in any event preferably within a period of two weeks from the date of receipt/production of a copy of this judgment.

5. The writ petition stands disposed of.

(Vikash Jain, J)

BT/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	17.06.2019
Transmission Date	N.A.

