

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16664 of 2019

Uttam Saw @ Uttam Prasad Gupta @ Uttam Gupta, aged about 47 years,
Gender – Male, Son of Babulal Saw, Resident of Village- Sunderpur, Police
Station- Hemjapur, District- Munger.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary Department of Food and Civil Supply, Govt. of Bihar, Patna.
2. The State of Bihar through the Principal Secretary Department of Food and Civil Supply, Govt. of Bihar, Patna.
3. The District Magistrate cum Collector, Lakhisarai.
4. Superintendent of Police, Lakhisarai.
5. Sub Divisional Officer, Lakhisarai.
6. Block Supply Officer, Suryagarha.
7. Officer-in-charge of Kajra P.S.- Suryagarha, District- Lakhisarai.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra, Advocate
For the Respondent/s : Mr. Alok Ranjan, A.C. to AAG-5

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-10-2019 Learned counsel for the petitioner submits that since confiscation proceeding is pending before the District Magistrate – cum – Collector, Lakhisarai being Confiscation Proceeding Case No. 59 of 2018, the petitioners have already filed an application seeking release of the seized rice and vehicle as per the details given in the petition in favour of the present petitioner.

Learned counsel for the State submits that in such circumstance the District Magistrate – cum – Collector, Lakhisarai may be directed to consider the application



preferred by the petitioner and pass an appropriate order thereon in accordance with law.

In the given facts and circumstances of the case, considering the nature of submissions wherein it appears that the petitioner has filed an application seeking release of the present vehicle as well before the Confiscating Authority and the same is pending consideration.

Let the District Magistrate – cum – Collector, Lakhisarai (Respondent no. 3) take a decision thereon keeping in view the judicial pronouncement on the subject within a period of 45 days from the date of receipt/production of a copy of this order.

This Writ Application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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