

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4774 of 2020

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Sh. Mohd. Iqbal Chowdhary Son of Ch. Gulam Rasool, resident of Plot No. 2, Ambedkar Chowk, Railway Station, Jammu and Kashmir- 180001, through its power of Attorney Holder, Sham Lal (Male) aged about 37 Years, Son of Shri Janak Raj, resident of Mohalla- near GMS.Tharakalwal, Tehsil- Ramkote, District- Kathua, Jammu and Kashmir- 184205 as a Special Power of Attorney holder in respect of Vehicle.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supplies Department, Government of Bihar, Patna.
2. The District Magistrate, Khagaria.
3. The Block Supply Officer, Sadar, Khagaria, District- Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Prasad
For the Respondent/s	:	Mr.Arvind Ujjwal (SC-4)
		Mr. Maruth Nath Roy, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-03-2020 The present wit petition has been filed primarily for release of a truck bearing Registration No. JK 21C-4707, which has been seized in pursuance of an FIR lodged by the Police bearing Khagaria P.S. Case No. 30 of 2020 dated 08.01.2020 under Section 188 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

The learned counsel for the petitioner at the outset seeks to withdraw the present petition with liberty to approach the learned Court of Sub-Divisional Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case No. 30 of 2020



or the appropriate Court in seisin of the said FIR, under Section 451 Cr.P.C., for the purposes of release of the truck in question.

Having regard to the short prayer made by the learned counsel for the petitioner, I deem it fit and proper to dispose off the present writ petition with liberty to the petitioner to approach the learned court below by filing appropriate petition, under section 451 Cr.P.C., for release of the truck/vehicle in question whereupon the learned court below shall pass appropriate orders upon the same within a period of six weeks of filing of such application by the petitioner, in accordance with law.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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