

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7019 of 2019

Yamuna Sah, aged about 24 years, Gender-male, Son of Ram Kishun Sah
Resident of Village and P.O.- Nenua, P.S. - Dumraon, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supply Department, Bihar.
2. The Collector, Buxar
3. The Block Supply Officer, Dumraon, Dist.- Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agarwal, Sr. Advocate with Mr. Vijay Anand, Advocate
For the State	:	Mr. AC to AAG 5

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 29-06-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. N. K. Agarwal, learned senior counsel along with Mr. Vijay Anand, learned counsel for the petitioner and learned AC to AAG 5 for the State.

3. The petitioner has moved the Court for the following relief:

“That this writ petition is being filed on behalf of the petitioner for Quashing a Seizure of Bolero Pick-Up bearing Registration No. BR44GA0708 and 11 LPG Gas cylinder (10 filled and 1 LPG empty) seized by Block Supply Officer Dumraon on 05.01.2019 giving rise to Dumraon P.S. Case No. 08/2019 registered under section 7 of the E.C. Act and/or for Provisional Release of Bolero Pick-Up bearing Registration No.



BR44GA0708 and 11 LPG Gas cylinder (10 filled and 1 LPG empty) in favour of petitioner, seized by Block Supply Officer Dumraon giving rise to Dumraon P.S. Case No. 08/2019 registered under section 7 of the E.C. Act to the satisfaction of learned SDJM Buxar subject to result of the Criminal/Confiscation case.”

4. At the very outset, learned counsel for the petitioner submitted that now when substantive confiscation proceeding is pending before the Collector, Buxar, he may be permitted to file an appropriate application seeking release of Bolero pick-up van and LPG Cylinders which may be directed to be disposed off within a fixed time period.

5. Learned counsel for the State does not oppose.

6. In view thereof, the writ petition stands disposed off with liberty aforesaid. If such an application is filed before the Collector, Buxar within three weeks from today, the Collector, Buxar would dispose off the same by passing a reasoned order, after hearing the petitioner, at the earliest and latest within a period of one month from the date of filing of such representation.

(Ahsanuddin Amanullah, J)

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