

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25543 of 2019

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Shamim Akhtar, son of Late Irfan Ali, resident of Mohalla- Ashiyana Colony,
Near Jhanda Chowlk Line Bazar Purnea Sadar, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Food and Supplies Department, Govt. of Bihar, Patna.
2. The District Magistrate, Purnea.
3. The District Supply Officer, Purnea.
4. The Block Supply Officer, Purnea East District - Purnea.
5. The Officer in Charge, P.S.- Dagarua, District Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate
For the Respondent/s : Mr.S.Raza Ahmad (AAG-5)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 22-01-2020 The learned counsel for the petitioner submits

that the vehicle in question has been seized in

connection with Dagarua P.S. Case No. 154 of 2019

which has been registered under Section 7 of the

Essential Commodities Act, 1955 without there being

any allegation, warranting any such seizure.

The confiscation proceeding has not yet been

started. However, the petitioner has directly approached

this Court without moving the requisite application for

release of the vehicle before the Court below.



Should such a petition be filed along with all necessary documents showing the ownership of the vehicle, the Court below shall take into account all facts and pass an order, keeping in view the law laid down in this regard, specially when the confiscation proceeding has not been initiated. Such an order be passed without any delay, preferably within a period of one week of the filing of such application by the petitioner.

The petition stands disposed off with the aforesaid observation/direction.

(Ashutosh Kumar, J)

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