

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6477 of 2019

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Rohit Kumar Son of Late Krishna Prasad Resident of Flat no.104 B-Block,
Green Avenue Appartment, Maurya Vihar Colony, Bhagawat Nagar, Kumhrar,
Neat tapovan School B.H. Colony, P.S.-Agamkuan. District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Food and Civil Suply Dept.
2. The Senior Superintendent of Police, Patna
3. The District Magistrate Cum Collector, Patna
4. The Sub Divisional Officer, Patna City, Patna
5. The Inspector Cum Officer Incharge, Fatuha Police Station, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
For the Respondent/s : Mr. S. Raza Ahmad (Aag5)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 27-08-2021 This matter has been taken up for hearing online because of covid-19 pandemic restrictions.

The petitioner is seeking a direction for respondents to release 250 quintals of rice, which was seized by the respondents in connection with Fatuaha P.S. Case No.260 of 2017. This writ application has been filed two years after seizure of the said rice.

In the counter affidavit filed on behalf of the respondents, it has been stated that the rice, being perishable item, has been sold during pendency of a confiscation proceeding and the sale proceeds has been deposited in



appropriate account.

Learned counsel appearing on behalf of the petitioner has submitted that the seizure of the rice itself is unauthorized and that the rice has been sold by the petitioner at a rate lower than that fixed by the respondents.

Be that as it may, since confiscation proceeding is pending, the petitioner shall be at liberty to take all such plea which have been taken in the present writ application. The said relief, which the petitioner is seeking, cannot be granted in view of the developments as noted above and pendency of the confiscation proceeding.

This writ application stands disposed of with the aforesaid observation.

(Chakradhari Sharan Singh, J)

Ankit/-

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