

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8558 of 2020

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Anita Devi, female, aged about 56 years, wife of Rajdeo Prasad, resident of Village/Moh.- Gaurakchhani Road Manpur, Police Station- Muffassil, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Food & Consumer Protection Department, Govt. of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Sub Divisional Officer, Sadar Gaya.
4. The Block Supply Officer, Bodh Gaya, Dist.- Gaya.
5. The Officer In charge, Bodh Gaya Police Station, Dist. - Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Binay Kumar, Advocate
For the State	:	Mr. Prashant Pratap, GP 2 with Mr. Gyan Shankar, AC to GP 2

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 02-02-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Binay Kumar, learned counsel for the petitioner and Mr. Prashant Pratap, learned GP 2 along with Mr. Gyan Shankar, learned AC to GP 2 for the State.

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

“...for issuance of appropriate writ(s), order(s) and direction(s) to the concern authority to release the Pick-up van bearing registration No. BR2K-5318 which was seized by the Block Supply Officer, Bodh Gaya, in connection with Bodh Gaya P.S. Case No.214 of 2020 registered under section 7 of Essential Commodities Act,



1955.”

4. Learned counsel for the petitioner submitted that in view of the fact, as brought on record in the counter affidavit filed on behalf of the respondents no. 2 to 4, that confiscation proceeding has been started and is pending before the District Magistrate, Gaya, the matter be disposed off with liberty to the petitioner to pursue his remedy for provisional release before the District Magistrate, Gaya.

5. Learned counsel for the State does not object.

6. In view thereof, the writ petition stands disposed off with liberty to the petitioner to move before the District Magistrate, Gaya, in Confiscation Case No.10 of 2020 arising out of Bodh Gaya PS Case No.214 of 2020.

7. If the petitioner moves before the District Magistrate, Gaya (respondent no. 2) within three weeks from today, praying for provisional release of his vehicle, such application shall be considered and disposed off latest within three weeks from the date of filing such application.

(Ahsanuddin Amanullah, J)

J. Alam/-

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