

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 9022 of 2020

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Balveer Singh, Male, aged about 51 years Son of Shri Karam Singh, Resident of House no. 108, J Block, Swaroop Nagar, Delhi-1100042.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Senior Superintendent of Police, Bhagalpur.
3. The District Magistrate, Bhagalpur.
4. The Sub Divisional Officer, Bhagalpur.
5. The District Supply Officer, Bhagalpur.
6. The Supply Inspector, Bhagalpur.
7. The Officer Incharge, Jagdishpur Police Station, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Kumar, Advocate
For the State	:	Mr. Alok Ranjan, AC to AAG 5

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 30-01-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Shashi Bhushan Kumar, learned counsel for the petitioner and Mr. Alok Ranjan, learned AC to AAG 5 for the State.

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

“ That the present application is being filed for issuance of writ of mandamus commanding upon the respondent to release Vehicle (Truck) bearing Registration No. HR 55N 5617, in favour of the petitioner which was seized by the respondent in connection with Jagdishpur P. S. Case No. 235 of 2019, the allegation is that the loaded food grains (Rice) on the above truck &



pick up van are for the distribution through the Public Distribution System on subsidized rate.”

4. At the outset, learned counsel for the State submitted that the writ petition is not maintainable in view of the judgment of the Full Bench in **Baleshwar Roy vs. State of Bihar [2018(4) PLJR 970]**.

5. Faced with the situation, learned counsel for the petitioner submitted that the main Confiscation Case No. 129 of 2019-2020, which is pending before the District Magistrate, Bhagalpur be directed to be finally decided.

6. Learned counsel for the State agrees to such suggestion.

7. In view thereof, the writ petition stands disposed off with a direction to the District Magistrate, Bhagalpur (respondent no. 3) to dispose off Confiscation Case No. 129 of 2019-2020, if already not disposed off, latest within two months from the date of production of a copy of this order before him.

(Ahsanuddin Amanullah, J.)

P. Kumar

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