

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19027 of 2019

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Dayashankar Sah @ Jhunu @ Paban Kumar @ Pawan Kumar Son of Upendra
Sah Resident of Village-Chakesho, P.S.-Mahnar, District-Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police Bihar, Patna
3. The District Magistrate-cum-Collector Vaishali at Hajipur
4. The Superintendent of Police Vaishali at Hajipur
5. The S.H.O. Mahnar, P.S. District-Vaishali at Hajipur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Advocate
For the Respondent/s : Mr.P.K.Verma (AAG-3)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 19-02-2021 The present writ petition has been filed for release of

60 bags of rice which were seized in connection with Mahnar

P.S. Case No. 356 of 2018, lodged under Section 420 of the

Indian Penal Code and Section 7 of the E.C. Act.

It appears that during the pendency of the present writ
petition, confiscation proceedings have been initiated, hence the
learned counsel for the petitioner prays that he would be filing
appropriate application before the learned Collector, Vaishali at
Hajipur for the purposes of release of the said rice bags.

The learned counsel for the State has got no objection.

Having regard to the facts and circumstances of the
case, the present writ petition stands disposed off with liberty



to the petitioner to file appropriate application, for release of the rice bags before the learned Collector, Vaishali at Hajipur in the on going confiscation case in connection with Mahnar P.S. Case No. 356 of 2018 and in case such an application is filed within a period of two weeks from today, the application shall be considered and disposed off by the learned Collector within a period of four weeks thereafter, failing which the rice bag shall stand released automatically in favour of the petitioner upon him furnishing adequate security to the satisfaction of the learned Collector, Vaishali at Hajipur.

At this juncture, the learned counsel for the petitioner submits that probably the final order has been passed in the on going confiscation case. If that be so, then the petitioner would be at liberty to file appropriate appeal against the final order and the issue regarding release of the rice bags would be considered by the appellate authority.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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