

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17940 of 2021

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Kumar Rajnish, Son of Lakhan Prasad, Resident of Village-Lakhochak, P.S.-Kiul,
District-Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Lakhisarai.
2. The District Food and Civil Supply Officer, Lakhisarai.
3. The Sub-Divisional Officer, Lakhisarai.
4. The Block Supply Officer, Ramgarh Chowk, District-Lakhisarai.
5. The Officer In-Charge, Tetarhat Police Station, District-Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Narsingh Tanti, Advocate
For the Respondent/s : Mr.S. Raza Ahmad, AAG-5

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 22-04-2022 The matter has been taken up for online hearing

through video conference because of COVID-19 pandemic

restrictions.

The petitioner's pick-up van, bearing Registration
No.BR53G0693 has been seized in connection with Tetarhat
P.S. Case No.68 of 2020 for the offence punishable under
Section 7 of the E.C. Act. A confiscation proceeding has also
been initiated for confiscation of the said vehicle by the
competent authority.

The petitioner has filed this application seeking



direction to the respondents to release the said vehicle.

From the statement made in the writ petition, it appears that the petitioner had approached the learned Sub-Divisional Judicial Magistrate, Lakhisarai for release of the vehicle, which has been rejected by an order dated 16.08.2021, upon noticing the provision under Section 6A(6) of the E.C. Act (wrongly typed as Section 6(vi) in the order).

Considering the facts and circumstances of the case, this application is disposed of with a liberty to the petitioner to invoke the provision under Section 6A(6) of the E.C. Act for the provisional release of the vehicle by making an application before the confiscating authority in this regard.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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