

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1496 of 2022

Arising Out of PS. Case No.-258 Year-2021 Thana- FATEHPUR District- Gaya

Saurav Kumar Son of Mahendra Prasad R/V- Fatehpur, P.S- Fatehpur, Dist- Gaya

... .. Petitioner

Versus

1. The State of Bihar, through the Principal Secy., Food and Consumer Protection Dept., Govt. of Bihar Bihar, Patna
2. The Director General of Police, Bihar, Patna
3. The Senior Superintendent of Police, Gaya
4. The District Magistrate, Gaya
5. The Sub Divisional Officer, Sadar Gaya
6. The Block Supply Officer, Fatehpur, Dist- Gaya
7. The Officer-in-charge, Fatehpur P.S, Dist- Gaya

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Respondent/s : Mr. Anshul Haq, AC to AAG-5

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-12-2022 Heard learned counsel for the petitioner and Mr. Anshul Haq, learned AC to AAG-5 for the State.

Petitioner in the present case is seeking release of the tempo bearing registration no. BR02GB-2398 which was seized in connection with Fatehpur P.S. Case No. 258 of 2021 registered under Sections 379/420/34 of the Indian Penal Code and Section 7 of the Essential Commodities Act, 1955.

On perusal of the records, this Court finds that admittedly, no confiscation proceeding has been initiated against the tempo in question. It is lying in the police station for over



one year and there is no reason as to why the tempo be allowed to remain in the police station.

This Court directs release of the tempo bearing registration no. BR02GB-2398 within seven days on the personal bond of the petitioner that as and when required, he will produce the tempo and shall not encumber the same or create any third-party right over the same.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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