

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1378 of 2022

Arising Out of PS. Case No.-547 Year-2020 Thana- HARSIDHI District- East Champaran

M/s Sugam Parivahan Pvt. Ltd. M/s Sugam Parivahan Pvt. Ltd., a Company incorporated under the Companies Act having its Registered Office situated at H-188, Lohia Road, Sector-63, Noida, Distt- Gautam Buddha Nagar(U.P), through its Authorised Signatory namely Upendra Kumar, Aged about 62 years, Gender Male, S/o- Suresh Prasad Singh, R/o Village- Saguni, P.O.- Rewan, P.S.- Masaurhi, Distt- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Home(Police), Government of Bihar, Patna. Bihar
2. The Secretary, Department of Home (Police), Government of Bihar, Patna. Bihar
3. The District Magistrate-cum-Collector, East Champaran at Motihari Bihar
4. The Superintendent of Police, East Champaran at Motihari Bihar
5. The Station House Officer, Harsidhi Police Station, District East Champaran at Motihari Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar, Adv.
For the Respondent/s : Mr.Sheo Shankar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

3 25-09-2024 This petition has been preferred by the petitioner seeking the following reliefs:-

(i) For the issuance of the writ in the nature of mandamus directing the respondents authorities to release the goods seized on 24.12.2020 at 07:30 AM at ICP Bypass Road, Haraiya, Motihari in connection with Harsidhi P.S. Case No. 547/2020 dated 24.12.2020 (District East Champaran at Motihari) as these seized goods are medical items being carried by the petitioner company and looted by the



accused persons in the said First Information Report and the same goods are perishable goods.

2. It is submitted by learned counsel for the petitioner that goods/ articles owned by the petitioner have been seized by the P.S. Harsidhi in connection with Harisidhi Case No. 547/2020 punishable for the offence under Sections 399, 402, 411, 412, 413 of the I.P.C. and under Sections 25(1-b)(a)/26/35 of Arms Act and under Sections 21/22 of the NDPS Act.

3. During the course of argument, referring to Paragraph '7' of the counter affidavit of the state, it is submitted by learned counsel for the petitioner that for releasing the said articles/ goods an application has been filed by the petitioner before the Trial Court i.e. court of learned A.D.J. 1st -cum-Special Judge, NDPS Act, East Champaran, Motihari and the application is still pending.

4. Since the petitioner has already made an application under Sections 451/457 of the Cr.P.C. before the learned Trial Court for releasing the said seized articles of the petitioner, therefore, it will be appropriate to dispose of this petition directing the concerned Trial Court to decide the said application as early as possible within a stipulated period in accordance with relevant rules and laws.



5. Accordingly, this petition is disposed of, the learned A.D.J. 1st -cum- Special Judge, NDPS Act, East Champaran, Motihari is directed to decide the pending application of the petitioner probably within two months from the receipt of a copy of this order of this Court in accordance with relevant rules and laws.

6. With the aforesaid observations, this petition is disposed of.

(Arvind Singh Chandel , J)

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