

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10262 of 2025

Manoranjan Singh proprietor of M/s Traders S/o- Ram Subhash Singh,
Resident of Bihat, Chandni Chowk, Nagar Parishad Bihat, Ward No.16,
Khemkaranpur, P.S.- Barauni, District- Begusarai ... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Food and Civil Supply Department, Government of Bihar, Patna.
2. The Collector- cum- District Magistrate, Patna.
3. The Superintendent of Police, Patna
4. The SHO, Bihta Police Station, Bihta, Patna
5. The Block Supply Officer, Bihta, Patna ... Respondents

Appearance :

For the Petitioner : Mr.Arvind Kumar, Adv.
For the Respondents : Mr.Government Advocate (10)

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 07-07-2025 Heard the parties.

2. The present writ petition has been filed for the following relief(s) :

“i. For issuance of an appropriate writ, preferably in the nature of Mandamus, for directing the respondents to release of the seized vehicle (Pickup Van) bearing registration no. BR09GB-1814 and food grains (fortified rice) weighing 3087.00 kg (59 jute bags and one yellow plastic bag), which were seized in connection with Bihta P.S. Case No. 370 of 2025 dated 21.05.2025 under Sections 303(2), 317(2), 3(5) of Bhartatiya Nyaya Sanhita, 2023 and Section 7 of the Essential Commodities Act, 1955, wherein the petitioner is the owner of the vehicle who is merely the transportation contractor for transportation of Food Grains from SFC godown to fair price shop



dealer's godown/other places as directed under door step delivery scheme.”

ii. For any other relief or reliefs for which the petitioner is entitled for.

3. Learned counsel appearing on behalf of the petitioner has stated that under similar circumstances, this Court in CWJC No. 697 of 2022 dated 07.07.2022 and CWJC No. 7145 of 2023 dated 22.06.2023 has directed the concerned District Magistrate to release the vehicle that was seized from the petitioner therein. Learned counsel for the petitioner has stated that the petitioner is similarly situated and that the petitioner is ready to furnish adequate security/surety for the purpose of release of vehicle as per the direction of the District Magistrate, Patna, Further, it is submitted that the confiscation proceedings are in the nature of civil proceedings and it is ultimately the sale proceeds of the confiscated property that will go into the account of the State and the petitioner is ready and willing to provide adequate securities/sureties. Therefore, the District Magistrate, Patna, may be directed to release the vehicle in favor of the petitioner, subject to any other condition that may be imposed.

4. Learned counsel appearing on behalf of the



respondents has stated that as the petitioner is ready to provide adequate securities/sureties and to abide by the reasonable terms and conditions that may be imposed by the District Magistrate, Patna, he has no objection if this Hon'ble Court directs the District Magistrate, Patna, to release the vehicle in favor of the petitioner subject to the petitioner providing adequate securities/sureties to the extent of the value of the vehicle and also subject to the petitioner abiding by other terms and conditions that may be imposed by the District Magistrate, Patna.

5. Having regard to the above facts and circumstances of the case and also the judgments of this Hon'ble Court referred above, this Court directs the District Magistrate, Patna, to release the vehicle seized from the petitioner in connection with Bihta P.S. Case No. 370 of 2025 which are subject matter of the present writ petition, subject to the condition that the petitioner shall make available adequate and sufficient securities/sureties (not in cash or bank guarantee) to the satisfaction of the District Magistrate, Patna, to the extent of the value of the vehicle which may be assessed and that the petitioner undertakes to abide by any other condition that may be imposed for the purpose of future proceedings by the District



Magistrate, Patna.

6. Learned counsel for the petitioner undertakes on instruction from the petitioner that if the vehicle is released in his favor, in course of trial he will not raise any question with respect to the seizure of the vehicle and no identification issue shall be raised in course of trial. Further, he will not claim any benefit out of this order in the pending proceedings and pursuant to the release of the vehicle in his favor.

7. Let the District Magistrate, Patna, pass an appropriate order after valuation of the vehicle and other conditions to which the petitioner would be required to abide by. Such orders be passed within two weeks from the date of receipt/communication of this order.

8. With the above directions, the present Writ Petition is allowed to the extent indicated.

(A. Abhishek Reddy , J)

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