

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2151 of 2015

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Baleshwar Roy Son of Late Kusheshwar Roy, Resident of Village - Dohatbari, P.S
- Udakishunganj, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Madhepura.
3. The Sub Divisional Officer, Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Respondent/s : Mr. SC5- SATYA DEO KUMAR

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 28-07-2015

The order of the Collector has also been affirmed by the court of Additional Sessions Judge 1st, Madhepura, in Confiscation Appeal No. 7 of 2014. By virtue of this order the truck possessed by the owner stands confiscated. The detail and circumstance under which such confiscation came to be made is well dealt with, not only in the order of the Collector but also in the order of the Additional Sessions Judge 1st, Madhepura.

The Court is not impressed by the submission of the counsel for the petitioner that owner of the truck had no business or knowledge as to what transpired. The liability should be fastened upon the driver.

Driver is not the owner. Driver is only an agent of the

principal who happens to be the owner of the truck. Therefore, he has to answer for any kind of deviant conduct in which his truck was involved.

The Court is not impressed by the submission so made.

Writ application does not merit consideration because no interference is warranted with the two impugned orders.

Writ application is dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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