

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11605 of 2017**

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Arati Sinha @ Arti Sinha, Wife of Shubrata Kumar Sinha, Resident of  
Durga Bari Purnea, Purnea East, P.S. - K. Hat, District - Purnea.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of  
Registration, Excise and Prohibition, Government of Bihar.
2. The Excise Commissioner, Bihar, Patna.
3. The District Collector cum District Magistrate, Banka.
4. The State of Bihar through the Director General of Police, Bihar.
5. The Superintendent of Police, District - Purnea.
6. The Station House Officer, Bausi Police Station.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Samir Kumar, Advocate

For the Respondent/s : Mr. Lalit Kishore, AG

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR  
UPADHYAY**

**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      30-08-2017

Until and unless the petitioner is impleaded in the  
confiscation proceeding as an owner of the vehicle and the  
confiscation proceeding for the vehicle is initiated against the  
petitioner, we see no reason to make any indulgence in the matter.

We are informed that an application has been filed  
by the petitioner before the District Magistrate-cum-District  
Collector, Banka, seeking impleadment as owner of the vehicle in  
confiscation proceeding.

If that be so, the Confiscating Authority is  
directed to take a decision in the matter and pass appropriate



order. Liberty shall be available to the petitioner to seek release of the vehicle afresh.

Let the application for impleading the petitioner as party based on the establishment of the ownership of the vehicle be passed within a period of one month. Till the decision is not taken on the application of the petitioner, no coercive steps for auctioning the vehicle would be taken.

With the aforesaid observation and liberty to the petitioner, this application stands disposed of.

**(Rajendra Menon, CJ)**

Uday/-

**(Anil Kumar Upadhyay, J)**

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