

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41086 of 2016

Arising Out of PS.Case No. -263 Year- 2015 Thana -GAURICHAK District- PATNA

- =====
1. Usha Devi Wife of Raj Kumar
 2. Vishal Kumar Son of Raj Kumar

Both Residents of Mohalla- Pathari, Ghat, PS Alamganj, District Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 24-08-2017

This application has been filed by the petitioners for quashing the order dated 05.08.2016 passed by the learned Sessions Judge, Patna in Cr. Revision No. 499 of 2016 whereby the revision petition against the order dated 28.06.2016 passed by the learned SDJM, Patna City in connection with Gaurichak P.S. Case No. 263 of 2015 by which the application of the petitioners for release of the seized pickup van no. BRO1GA-7857 and WBO3B-1593 in connection with Gaurichak P.S. Case No. 263 of 2015 was rejected, has been dismissed.

2. It would be manifest from the record that the vehicles, in



question, have already been confiscated in exercise of power conferred under Section 6 A of the Essential Commodities Act, 1955 by the District Magistrate, Patna.

3. In that view of the matter, no illegality can be found with the order, as once the confiscation proceeding in respect of a seized property is initiated, the criminal court would have no jurisdiction in such matter.

4. The application is meritless. It is dismissed, accordingly.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.08.2017
Transmission Date	NA

