

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.56 of 2019

In
Civil Writ Jurisdiction Case No.6606 of 2017

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Jitendra Kumar @ Jitendra Yadav, Son of Ramesh Yadav, Resident at
Ramnagar Mahadev Road, P.O. and P.S. - Siwan, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Siwan.
2. The Excise Commissioner Government of Bihar, New Secretariat, Patna.
3. The District Magistrate-cum-Collector, Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Shahi, Adv.
For the Opposite Party/s : Mr.Pushkar Narain Shahi,AAG6

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

3 25-07-2019 Heard learned counsel for the parties.

After hearing learned counsel for the parties for some time, we find no error in our order dated 17.12.2018 passed in C.W.J.C. No.6606 of 2017 which warrants a review. It is an admitted position that the confiscation proceeding in Excise Case No. 36 of 2016-17 has already come to an end.

This being the position the provisional order of release shall merge with the final order passed by us on 17.12.2018 and unless the petitioner assails the confiscation order in the statutory appeal provided under the Bihar Excise



and Prohibition Act, the petitioner would not be entitled for getting any relief from this Court.

At this stage, learned counsel for the petitioner submits that for certain reasons beyond his control the petitioner could not utilise the given time period of 30 days which we had indicated in the order dated 17.12.2018, thus this Court may provide him some more time to seek his remedy in appeal.

Learned counsel for the State is present and has opposed the review application.

Considering the facts and circumstances of the case, we grant three weeks further time to the petitioner calculated from today, to pursue his remedy of appeal as per the liberty given by us in the order passed on 17.12.2018. The rest of the order shall remain the same.

The order dated 17.12.2018 passed in C.W.J.C. No.6606 of 2017 would stand modified to the aforesaid extent.

The review application is disposed of with the modification above.

(Jyoti Saran, J)

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(Rajeev Ranjan Prasad, J)

