

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7411 of 2019

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Santosh Sah S/o Lal Babu Sah R/o Village-Sangrampur, P.S.-Taraiya, District-Saran

... .. Petitioner

Versus

1. The State of Bihar through the Principle Secretary, Food and Consumer Protection Department, Bihar, Patna
2. The Collector Saran at Chapra
3. The Block Supply Officer, Taraiya District-Saran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate
For the Respondent/s : Mr. U. P. Singh, AC to SC 4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-11-2019 Learned counsel for the petitioner as well as learned counsel for the State are in agreement that this writ application may be disposed of in terms of the substantive order passed by this Court in C.W.J.C. No. 8506 of 2019. It is reported that confiscation proceeding has already been started and is pending before the Collector, Saran at Chapra (respondent no.2) being Confiscation Case No. 01 of 2019.

In the aforesaid case being C.W.J.C. No. 8506 of 2019, considering the Hon'ble Full Bench judgment in the case of **Baleshwar Roy vs. The State of Bihar &Ors.** reported in **2018 (4) PLJR 970**, this court did not entertain the writ application at this stage and granted liberty to the petitioner to file an appropriate application before the Confiscating Authority



for release of the vehicle in question during the pendency of the confiscation proceeding.

In the present case, therefore, the liberty is granted to the petitioner to file an appropriate application before the respondent no. 2, with whom the confiscation proceeding is pending, for provisional release of the vehicle in question, within a period of four weeks from today. In case such an application is preferred before respondent no. 2, he would consider the same and pass an appropriate order within next four weeks from the date of filing of the application.

While considering the application of the petitioner, respondent no. 2 shall keep in mind the various judicial orders passed by this Court as well as the Hon'ble Apex Court in the matters of provisional release of the vehicles.

The writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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