

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 9058 of 2019

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Girijesh Kumar alias Gaurab Kumar alias Gaurav Kumar, aged about 30 years, Male, S/o Kishori Sharma, Resident of Village-Ginjee,P.S. Ghoshi,Dist.-Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration Excise and Prohibition Department, Govt. of Bihar, Patna
2. The Principal Secretary, Registration Excise and Prohibition Department, Govt. of Bihar, Patna
3. The District Magistrate cum-Collector, Gaya
4. The Superintendent of Excise, Gaya
5. Superintendent of Police, Gaya
6. Officer in Charge, Barachatti, Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Respondent/s : Mr. Vivek Prasad (GP7)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
and
HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAKESH KUMAR)

5 09-09-2019 The present writ petition was filed for a direction to release Scorpio vehicle of the petitioner which was seized in connection with Barachatti P.S. Case No. 548 of 2018.

Learned counsel for the petitioner submits that during pendency of the present writ petition, confiscation proceeding has already come to an end.

Accordingly, the present Interlocutory Application vide I.A. No.01 of 2019 was filed with a prayer to allow the



petitioner to modify prayer portion in the writ petition. Meaning thereby that now petitioner intends to amend the prayer for quashing of final order of confiscation and it may be incorporated in the writ petition. However, it was submitted by learned counsel for the petitioner that instead of passing an order for amendment, the writ petition may be disposed of so that petitioner may avail statutory remedy. The prayer is allowed. This prayer was not opposed by the State.

Accordingly, with the consent of the parties, the writ petition is accordingly disposed of with a liberty to the petitioner to avail appropriate remedy. It goes without saying that period consumed by the petitioner in pursuing the present writ petition shall be excluded while considering the limitation matter.

I.A. No.01 of 2019 as well as main writ petition shall stand disposed of.

(Rakesh Kumar, J)

(Anjani Kumar Sharan, J)

Nasimul/Devendra

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