

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14233 of 2015

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Sajda Khatoon, Wife of Late Md. Aalam resident of Mohalla - Ara Kanta,
Police Station - Mandu, District - Ramgarh (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Rohtas at Sasaram
2. The Collector - Cum - Appellate Authority, Rohtas at Sasaram

... .. Respondent/s

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Appearance :

For the Petitioner/s : None.

For the Respondent/s : Mr. M.K. Singh- SC-6

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date : 07-01-2019

None appears on behalf of the petitioner.

Heard Mr. M.K. Singh, S.C.-6 counsel appearing on
behalf of the State.

The instant writ application has been filed for necessary
direction to the respondents for disposal of Case No. 24 of 2014
which has been filed by brother of the petitioner namely, late Md.
Nesar Ahmad against the order dated 19.10.2013 passed by the
authorized authority-cum-Forest Officer, Rohtas Division, in
Confiscation Case No. 55 of 2013 dated 19.10.2013 regarding the
seized truck bearing registration No. JH02-2844 along with
Dumper bearing registration No. JH9A-9271 loaded with stone
chips.

From paragraph 5 (vii) of the instant writ application it
appears that petitioner has earlier moved for release of truck in



question in criminal proceeding before learned Sub Divisional Judicial Magistrate, Dehri, Rohtas, which has been rejected on 18.6.2013. Thereafter, the same order has been challenged in the court of learned Sessions Judge, Sasaram, Rohtas, vide Cr. Revision No. 214 of 2013 which was disposed off on 20.9.2013 with direction to the Sub Divisional Judicial Magistrate, Rohtas, to call for a report for Confiscation Proceeding and pass appropriate order.

As such, the petitioner has already taken recourse of alternative remedy before the criminal court.

Therefore, this writ application is dismissed.

The petitioner will however be at liberty to challenge the order passed by the criminal court with regard to release of vehicle in this Court in accordance with law.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	15/1/2019
Transmission Date	

