

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14201 of 2019

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Ajit Saw Son of Kisun Saw, Resident of Village-Bikkam, P.S.-Lakhisarai,
District-Lakhisarai at present Resident of Ashok Nagar Road No. 14, P.S.
Kankarbagh, District-Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Secretary, Food and Consumer Protection
Department, Old Secretariat, Patna
2. The District Magistrate Lakhisarai
3. The Superintendent of Police Lakhisarai
4. The S.D.O. Lakhisarai
5. The Assistant District Supply Officer Lakhisarai
6. The Officer-in-Charge of Birupur Police Station under District-Lakhisarai

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate
For the Respondent/s : Mr.Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-10-2019 In Paragraph '19' of the counter affidavit a statement

has been made that the petitioner has approached this Court in

its extraordinary writ jurisdiction, even though he could have

participated in the confiscation proceeding before the District

Magistrate, Lakhisarai.

Learned counsel for the State submits that the

petitioner has a remedy available by filing an appropriate

application before the Confiscating Authority for provisional

release of the vehicle subject to such terms and conditions as

may be deemed just and proper by the Confiscating Authority.



In the aforesaid view of the matter, learned counsel for the petitioner submits that he may be allowed to avail his remedy before the District Magistrate, Lakhisarai by filing an appropriate application.

Let the petitioner avail the remedy. If the petitioner files an application for release of the vehicle in question within a period of 30 days from today, the same will be considered by the Confiscating Authority keeping in view the judicial pronouncements on the subject and an appropriate order shall be passed within a period of 60 days from the date of filing of the application.

This writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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