

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17102 of 2019

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Ram Babu Ray Son of Vakil Ray Resident of Village- Lawapur Narayan, P.O.
and P.S.- Mahnar, District Vaishali (Hajipur).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department Food and Consumer Protection, Govt. of Bihar, Patna.
2. The District Magistrate Vaishali at Hajipur.
3. The Superintendent of Police Vaishali at Hajipur.
4. The Officer in Charge Mahnar, Police Station, District - Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate
For the Respondent/s : Mr. S. Raza Ahmad (AAG5)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-10-2019 This writ application has been preferred seeking release of the vehicle i.e. Pickup Van bearing registration No. BR06GC-3263, Chassis No. MA1ZN2GHKH1A12050, Engine No. GHG1M63419 of the petitioner which was seized in connection with Manhar P.S. Case No. 356 of 2018 registered under Section 420 of Indian Penal Code and Section 7 of the E.C. Act.

Learned counsel for the petitioner submits that a confiscation proceeding has already been initiated in the matter and the same is pending before the District Magistrate, Vaishali at Hajipur (respondent no.2).

Learned counsel for the State submits that since a



confiscation proceeding has already been initiated, remedy of the petitioner lies before the respondent no. 2 by filing an appropriate application for seeking provisional release of the vehicle in question.

Under the circumstances stated hereinabove, this writ application is disposed of with the liberty to the petitioner to file an appropriate application before the District Magistrate, Vaishali at Hajipur (respondent no.2) for provisional release of vehicle in question and if such an application is preferred, the respondent no. 2 shall consider and dispose of the same within a period of 30 days from the date of filing of such application.

(Rajeev Ranjan Prasad, J)

Avin/
S. Katyayan/-

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