

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7502 of 2020

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Devanand Kumar @ Devanand Ray Son of Krishna Gopal Ray, resident of
Village- Jahangirpur, Bypass, P.S. Sonapur, District- Chapra, Presently
residing at Near Ford Hospital 90 Feet Road, P.S. Ram Krishna Nagar,
District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Excise Deputy Commissioner, Patna.
4. The Superintendent of Police (West), Patna, District- Patna.
5. The Excise Superintendent of Police, Patna.
6. The S.H.O. Digha Police Station, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shambhu Sharan Singh
For the Respondent/s	:	Mr.Lalit Kishore (Ag)

Mr. Vivek Prasad, GP 7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

**(The proceedings of the Court are being conducted through
Video Conferencing and the Advocates joined the proceedings
through Video Conferencing from their residence.)**

Date : 09-09-2020

Heard the parties.

Petitioner has prayed for following relief:-

- (i) For release of confiscated bullet motorcycle having
its registration no. BR0-1DZ-5204 after quashing



the confiscation order dated 31/12/2019 passed in confiscation case no.916/2019-20(State Vs. Devanand Kumar & others) by the Collector and District Magistrate Patna in connection with Digha P.S. Case No. 74/2019 dated 05/2/2019.

- (ii) For payment of appropriate award of compensation to the petitioner being the owner of vehicle, for the loss and harassment) of Rs.1,00,000/- by the State of Bihar through Collector-cum-District Magistrate, Patna as decided in other cases by this Hon'ble Court.
- (iii) For the other relief/reliefs as your lordships may deem fit and proper.”

Petitioner has filed this writ petition against the order dated 31.12.2019 passed in Confiscation Case No.916 /2019-20 passed by the District Collector, Patna by which the District Collector –cum-Confiscating Officer has passed the order to confiscate the vehicle and put it on auction sale.

Petitioner has approached this Court without availing the statutory remedy of appeal against the impugned order, as such, liberty is granted to petitioner to file an appeal against the confiscation order before the appellate authority and if any appeal is filed within 60 days then appellate authority shall



condone the delay in filing the appeal as the matter remained pending before this Court and shall decide the appeal preferably within 60 days from the date of its filing.

With aforesaid liberty, the writ petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

