

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8312 of 2020

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Rajiv Kumar Singh S/o Krishna Singh Resident of Mohalla- New Area Ward
No.34, Sasaram, P.S.- Sasaram, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Excise Commissioner, Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The Collector cum District Magistrate, Kaimur (Bhabua).
4. The Superintendent of Police, Kaimur, Bhabua.
5. The S.H.O., Mohaniya Police Station, P.S.- Mohaniya, District- Kaimur Bhabua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Uma Shankar Singh, Adv
For the Respondent/s : Mr. Kumar Manish SC-5

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

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 09-10-2020

Heard learned counsel for the petitioner and learned

counsel for the respondents.

Petitioner has prayed for the following relief:-

“For the issuance of an appropriate writ directing the respondent no. 3 to release Baleno Car bearing Reg. No. JH-01DL-5837 seized in Mohaniya P.S. Case No. 28/2020 in favour of the petitioner which is subjected to confiscation case No. 5/2020 proceeded in the court of Respondent No. 3.”

It has been submitted on behalf of petitioner that



during pendency of this writ petition, final order has been passed by the Collector, Kaimur at Bhabhua in Confiscation Case No. 51 of 2020 and vehicle has been directed to be confiscated and put on auction, as such, present writ petition for interim release of the seized vehicle has become infructuous.

Petitioner is granted liberty to file appeal against the order of District Collector/Confiscating Officer, Kaimur at Bhabhua before the appellate authority within 60 days and if any such appeal is filed, the appellate authority shall condone the delay in filing the appeal and shall decide the appeal on merit within 60 days from the date of filing of such appeal.

With the aforesaid observation and liberty, this writ petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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

