

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20508 of 2019

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Anuj Kumar S/o Sri Naresh Thakur, Resident at Mangla Gauri Temple, South
of Ambedkar Chowk, P.S.-Gardanibagh, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Govt. of Bihar, Patna.
2. The Collector Cum District Magistrate, Patna.
3. Superintendent of Police, Patna.
4. The Officer In Charge, Gardanibagh Police Station, Patna.
5. The Officer Incharge, Athmalgola Police Station, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Sinha, Advocate
For the Respondent/s : Mr.Vikash Kumar (SC-11)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 09-01-2020 Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief:-

“(i) For quashing of the order dated
26.07.2019 passed in Confiscation Case No.



3222/2018-19 by learned Collector-cum-District Magistrate, Patna.

(ii) For direction to the respondent to release the motorcycle Honda Shine bearing registration no. BR01CG1941, Chasis No. ME4JC36PHE7022916.

(iii) For any other order/orders for which the petitioner is entitled to in the facts and circumstances of the case. ”

The petition filed on 01.10.2019 is listed for hearing for the first time today before the Court.

It is submitted that Confiscation Case No. 3222/2018-19 already stands concluded.

As such, in our considered view, no other and further order can be passed in the present petition, save and except which is being passed herein under, on mutually agreeable terms:-

(1) The petitioner shall file an appeal on or before 07.02.2020.

(2) If the appeal is filed within the aforesaid period, the issue of limitation shall not be raised by the State.

(3) The parties undertake to join and fully cooperate in the said proceedings.

(4) It is expected of the authority concerned to decide



the said appeal expeditiously and preferably within a period of three months.

(5) All issues left open.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

Rajeev Kumar/-

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