

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2343 of 2020

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Mantu Chauhan Son of Sadanand Chauhan, Resident of Ward No. 8, Teusa,
Police Station- Kishanganj in the district of Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home,
Government of Bihar, Patna.
2. The Principal Secretary, Department of Home, Government of Bihar, Patna.
3. The District Magistrate-Cum-Collector, Kishanganj.
4. The District Superintendent, Excise, Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar
For the Respondent/s : Mr.Vivek Prasad (Gp7)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 09-07-2020

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

Heard learned counsel for the petitioner and
learned counsel for the State.

Petitioner has prayed for the following reliefs: -

- I. "To quash the order dated 28.11.2016
passed by the District Magistrate,



Kishanganj in Confiscation Case No. 19 of 2016-17 by which Hero Glamour Motorcycle of the petitioner bearing Engine No. JA06EJG9B09327, Chassis No. MBLJA06AMG9B09461 has been ordered to be confiscated which has been seized in C.C. Case No. 534 of 2016.”

II. Also to direct the respondent authorities especially respondent No. 3 to release the Hero Glamour Motorcycle of the petitioner bearing Engine No. JA06EJG9B09327, Chassis No. MBLJA06AMG9B09461 which has been seized in C.C. Case No. 534 of 2016 registered on the basis of Prosecution Report submitted by Excise Sub-Inspector dated 21.10.2016 before the court of learned Chief Judicial Magistrate, Kishanganj.”

Petitioner has filed this writ petition against the order dated 28.11.2016 passed by District Magistrate, Kishanganj in confiscation case No. 19 of 2016-17 by which the vehicle of petitioner has been ordered to be confiscated.

Petitioner has approached this Court without exhausting the statutory remedy of appeal and revision against the impugned order, as such, writ petition is disposed of with



liberty to petitioner to avail the statutory remedy of appeal revision before approaching this Court, if any, appeal is filed by petitioner the appellate authority shall condone the delay in filing the appeal as matter remain pending before this Court and shall decide the appeal on merit preferably within 30 days.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	
Transmission Date	N.A.

