

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12262 of 2021

=====

Anil Kumar Sah Son of Santosh Prasad Resident of Village-Bara bazar,
Rautpatti, Ward No. 5, District-Madhubani, Bihar-847211.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary of the Excise Department, Bihar at Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The Collector-Cum-District Magistrate, Sitamarhi.
4. The Superintendent of Police, District-Sitamarhi.
5. The Additional Collector, Sitamarhi.
6. The Officer-In-Charge of Police Station, Runnisaidpur, District-Sitamarhi.

... .. Respondent/s

=====

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice /Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences /offices.)

Appearance :

For the Petitioner/s : Mr.Satya Ranjan Sinha, Adv
For the Respondent/s : Mr.Vivek Prasad GP-07

=====

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

Date : 20-07-2021

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

“(I) To quash the order dated 16.03.2021 passed by Additional Collector, Sitamarhi, in Confiscation Case No. 194/2020 erroneous forthwith.

(II) To direct the concerned Respondents to release the seized white colour Maruti Suzuki Car bearing Registration No. BR-32Y-7696 of the petitioner which has been seized in connection with Runnisaidpur PS Case No. 04/21 dated 01.01.2021 illegally forthwith. ”



Petitioner has approached this Court without exhausting the statutory remedy of appeal against the impugned order, as such, petitioner is granted liberty to avail the remedy of appeal against the confiscation order passed by the Confiscating Authority- cum- District Magistrate, before the Appellate Authority and if any such appeal is filed within 8 weeks then appellate authority shall condone the delay in filing the appeal and shall decide the appeal on its own merit preferably within 8 weeks from the date of its filing.

During pendency of appeal, the confiscated vehicle shall not be auction sold, if not already auction sold.

With aforesaid liberty, the writ petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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

