

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17606 of 2021

=====

Md. Zeeshan Ahmed Son of Md. Izharul Haque Resident of - 4 Harin Bari 1st lane, Near Nakhuda Maasjid, Chittaranjan Avenue, P.S. - Bowbazar, District/Town - Kolkata (West Bengal).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Government of Bihar, Patna.
2. The Collector, Lakhisarai.
3. The Superintendent of Police, Lakhisarai.
4. The S.H.O. of Chanan Police Station, District- Lakhisarai.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Respondent/s : Mr.Kumar Manish (Sc5)

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 23-12-2021

Heard learned counsel for the parties.

Petitioner has prayed for following reliefs:-

(I) For issuance of an appropriate writ commanding the respondents to release the vehicle / Maruti Swift Dezire Car of the petitioner having Registration No.WB-04H-5134 bearing Chassis No.MA3F JEB 1S00B45060, Engine No.D13A3274776 lying in the campus of Chanan Police Station in the District of Lakhisarai in connection with Chanan P.S. Case No. 80/21.

(ii) Any other relief or reliefs for which the petitioner is entitled under law as well as on facts.”

It has been submitted by learned counsel for the State that final order has been passed by the confiscating authority in confiscation case no.273 of 2021, as such present writ petition

for interim release of vehicle has become infructuous.

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 4 weeks from today, the 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 property/ vehicle shall not be auction sold.

With aforesaid liberty, the writ petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-Ranjan

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