

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18069 of 2021

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Kishan Raj Verma, Son of Shambhu Prasad, Resident of Village - Bidulia,
Meghaul, P.S. - Khudabandpur, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate Cum District Collector, Begusarai.
3. The Deputy Collector, Land Reform Sub division, Bakhare, District- Begusarai.
4. The Superintendent of Police, Begusarai.
5. The Officer - in -Charge, Police Station - Bakhari, District- Begusarai.
6. The Superintendent, Excise Department, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Anirudh 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 S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 10-12-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s).

- “(i) For setting aside the order dated 11.08.2021 passed by the Deputy Collector Land Reform Sub Division Bakhare, District- Begusarai passed in Confiscation Case No. 45 of 2021 arises out of Bakhari P.S. Case No. 56/2021 dated 24.02.2021 for offences under section 30(a) 37(C) Bihar Prohibition and Excise Act whereby the learned Confiscating whereby as Confiscating the vehicle of petitioner bearing Registration No. BR09H9532.
- (ii) For release the vehicle Bolero bearing Registration No.- BRO9H-9532 seized in connection with Bakhari P.S. Case No. 56/21 for the offence under section 30(a)/37(c) of Bihar Prohibition and Excise Act 2016 as well as

Confiscation (Excise) Case No. 45/2021.

(iii) Any other relief or reliefs for which this court may deemed fit and proper in the facts and circumstances of the case.”

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)

Rajiv/veena-

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