

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18783 of 2021

=====

Md. Mangaru Alam @ Md. Mangaru Son of Ramjani Miyan Resident of
Village- Vishunganj, P.S.- Jehanabad, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Govt. of Bihar, Patna.
2. The District Magistrate, Jehanabad.
3. The Senior Deputy Collector, District Jehanabad.
4. The Station House Officer-Cum- S.I., Police Station, Paras Bigaha, District-
Jehanabad.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Md. Jubair Ansari, Advocate
For the Respondent/s : Mr.Kumar Manish (S.C.5)

=====

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 relief(s):-

- i) To quash the impugned order contain in
vide memo no. 681/law Jehanabad dated
13.04.2021 passed by the Court of the Senior
Deputy Collector, Collectariate Jehanabad in
confiscation Case No. 88/D.M./ 2018 Govt.
Versus Md. Mangaru So far its relates to the
petitioner whereby and whereunder petitioner
vehicle Tempo bearing Registration No. BR-
25A-9617 has confiscated and ordered to
confiscate for auction public in favour
Government of Bihar. (Aznexure-4).
- ii) Further to direct the respondents
authorities to release the seized vehicle

tempo bearing Registration No. BR-25A-9617 to its original owner i.e. the petitioner.
iii) For any other appropriate relief(s) as per facts and circumstances of this case petitioner to be entitled as your lordships.”

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 4 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	
CAV DATE	
Uploading Date	
Transmission Date	