

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19924 of 2021

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Sundari Devi, Wife of Late Bihari Chaudhary, Resident of Village-
Guljarbigha, Dahachani Pokharpar, P.S.-Rajgir, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The District Magistrate, Nalanda.
3. The Superintendent of Police, Nalanda.
4. The Police Inspector-cum-Officer In-charge, Rajgir Police Station, District-
Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Adv
For the Respondent/s : Mr.Vikash Kumar (SC11)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 23-12-2021

Petitioner has prayed for following relief:-

“That the instant application is being filed for
issuance of an appropriate writ/writs, order/orders,
direction/directions commanding the respondent authority to
release/unseal the House (Ramdiha Thana No. 485, Khata No.
332, Khasra No. 5396 Rakba 01 Dismil) which has been
seized in connection with Rajgir P.S. Case No. 34/2020 dated
26.01.2020 for the alleged offence under sections 272, 273/34
of the Indian Penal Code and Sections 30(a)(b), 37(b)(c) of
Bihar Prohibition and Excise Act, 2016, pending in the court
of learned ADJ-III cum Special Judge (Excise), Biharsharif,
Nalanda.”

Learned counsel for the petitioner seeks permission to

withdraw this application stating that final order of confiscation has been passed by the Confiscating Authority.

In view of the above, this application is disposed of as withdrawn granting liberty to the petitioner to file appeal against the confiscation order passed by the Confiscating Authority-cum- District Magistrate, before the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.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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