

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.452 of 2022

In

Civil Writ Jurisdiction Case No.1116 of 2022

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Rama Kumar Paswan Son of Raj Ballabh Paswan Resident of Village- Ward
No. 07, Near Anganbadi, Pakauli, Rajasan, Police Station- Bidupur, District-
Vaishali (Hajipur).

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate Vaishali at Hajipur.
2. The Superintendent of Police, Vaishali at Hajipur.
3. The Officer in Charge, Mahnar, Police Station, District- Vaishali at Hajipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Arvind Ujjwal (SC-4)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

2 29-03-2022 This case has come at the instance of Mr. Umesh
Kumar Singh, learned Advocate for the petitioner.

By order dated 24.02.2022, on the statement given by
the learned counsel for the petitioner that the confiscation
proceeding with respect to the vehicle in question has already
been initiated, the writ petition was disposed of with a direction
to the confiscating authority to conclude the proceedings as
expeditiously as possible, preferably within a period of sixty
days from the date of receipt/production of a copy of this order.

Mr. Umesh Kumar Singh, learned Advocate for the



petitioner submits that because of some miscommunication, such statement was made even when no confiscation proceeding has yet been initiated.

Thus, the learned counsel for the petitioner urges that the order dated 24.02.2022 be modified to the extent that a direction be issued that in case any application is filed before the concerned Chief Judicial Magistrate for the release of the vehicle in question, the same shall be considered in correct perspective and in accordance with law as no confiscation proceeding has yet been initiated against the vehicle in question.

It is ordered accordingly.

Should the petitioner feel aggrieved by the order passed by the learned Chief Judicial Magistrate on his application for release of vehicle, the petitioner would be entitled to approach the appropriate forum for the needful.

The order stands modified to the extent indicated above.

(Ashutosh Kumar, J)

(Anjani Kumar Sharan, J)

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