

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14399 of 2021

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Roushan Kumar Choudhary, Son of Mahesh Kumar Choudhary, Resident of
Village- Shyam Bazar, Police Station- Bounsi, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary Civil Supplies Department, Government of Bihar, Patna.
3. The District Magistrate Banka.
4. The Superintendent of Police Banka.
5. The Officer-in- charge, Bounsi Police Station Banka.
6. The Investigating Officer Bounsi P.S. Case No. 140 of 2020.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Praveen Kumar, Advocate
For the Respondent/s	:	Mr. S. Raza Ahmad, AAG-5
		Mr. Alok Ranjan, AC to AAG-5.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 19-01-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s).

“1. That the present writ application is being filed for release of Bolero Pickup Van of the petitioner bearing Registration No. BR 51G 3844, seized in connection with Bounsi P.S.

Case No. 140 of 2020, registered for the offence under section 7 E.C. Act and also to quash the final order of confiscation Case No. 150 of 2020-21 dated 12.02.2021 initiated by the Collector, Banka as against the seized vehicle of the petitioner (Annexure-3) and to further allow the present application with cost and cost of litigation.”

After the matter was heard for some time, learned counsel for the petitioner does not want to press the present petition reserving liberty to file appeal before the appropriate authority.

Prayer allowed.

He may do so within a period of four weeks.

Learned counsel for the State states that if any such appeal is preferred by the petitioner within the aforesaid period, limitation shall not come in the way and the appeal shall be heard on merits, to be decided within a period of three months from the date of its filing.

We only hope and expect the appropriate authority to consider and decide the appeal on its own merit and with reasonable dispatch.

We clarify that we have not expressed any opinion on facts and law. All issues are left open.

Learned counsel for the parties undertake not to take any unnecessary adjournment in such proceedings.

The present petition stands disposed of with the liberty aforesaid.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	