

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.47 of 2019

Arising Out of PS. Case No.-89 Year-2018 Thana- KADIRGANJ District- Patna

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DHIRAJ KUMAR @ DIRAJ KUMAR Vinod Kumar @ Vinod Prasad
Resident of Village-Badroi P.S.-Masaurhi, Dist.-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar, Through The Chief Secretary, Dept. Of Excise, Govt. Of Bihar, Patna and Ors Patna
2. The District Magistrate, Patna
3. The Senior Superintendent of Police, Patna
4. The Superintendent of Excise, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan
For the Respondent/s : Mr.Vivek Prasadgp7

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 27-03-2023 Heard the parties.

A counter affidavit has been filed on behalf of the

State.

It has been submitted by the learned counsel for the

State that the vehicle in question has been confiscated on

18.10.2019 and has been auction sold on 06.01.2020.

This application is disposed of with a liberty to the

petitioner to move before the Commissioner against the

confiscation order by filing an appeal. If such an appeal is filed

by the petitioner within 30 days from today, same shall be heard

on merits and the same shall not be rejected on the ground of



limitation.

If the petitioner ultimately succeeds, the amount collected by the State in confiscation proceeding shall be refunded to the petitioner. If the petitioner does not succeed in the matter, then the amount will remain with the State.

Accordingly, this application is disposed of.

(Sandeep Kumar, J)

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