

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1280 of 2022

Arising Out of PS. Case No.-25 Year-2022 Thana- BARHIYA District- Lakhisarai

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Anil Kumar Son of Sri Ram Lagan Singh Resident of Bihat, P.S- Barauni,
Dist- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Food and Civil Supplies Dept., Govt. of Bihar, Patna
2. The Collector-Cum-District Magistrate, Lakhisarai
3. The Officer In-Charge, Barahiya, Dist- Lakhisarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Adv.
For the Respondent/s : Mr. Arvind Ujjwal, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 17-04-2023

Learned counsel for the petitioner and counsel for the State present.

The present criminal writ application has been filed for directing to release the seized pickup van, bearing Registration No. BR-09GB-0684, which is subject matter of Confiscation Case No. 52 of 2022 arising out of Barahiya P.S. Case No. 25 of 2022.

Counsel for the petitioner fairly submits that under law, the confiscation proceeding is going on but no further order has been passed in this case and matter is unnecessarily been delayed. He submits that this case is pending before the Collector-cum-District Magistrate, Lakhisarai being Confiscation No. 52 of 2022.

Counsel for the State submits that there is a specific provision under statute and petitioner ought to follow the same.

In this view of the matter, petitioner is directed to file fresh supplementary affidavit in the said confiscation case raising all the points which he has raised here in this criminal writ petition, including the law and the different judgments and the Collector-cum-District Magistrate, Lakhisarai is directed to pass order in this matter.

The Co-ordinate Bench of this Court vide order dated 23.03.2023 passed in C.W.J.C. No. 1457 of 2023 has directed the concerned Collector to pass appropriate order within fifteen days on the date of representation. If the said matter is not decided within fifteen days, the concerned Officer shall be liable for contempt proceedings from the date of production of this order.

With this direction, the present criminal writ application stands disposed off.

(Dr. Anshuman, J.)

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AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	