

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1519 of 2022

Arising Out of PS. Case No.-451 Year-2020 Thana- LAKHISARAI District- Lakhisarai

Arvind Yadav Son of Arun Yadav R/V- Chananiya, P.S- Suryagraha, Dist- Lakhisarai

... .. 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, Kawaiya, Lakhisarai

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjaya Nath Tiwari, Adv.
For the Respondent/s	:	Mr. S. Raza Ahmad, (A.A.G.)

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-09M-7167, which is subject matter of Confiscation Case No. 177 of 2020 arising out of Lakhisarai P.S. Case No. 451 of 2020.

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. 177 of 2020.

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	