

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6176 of 2016

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Rajiv Kumar @ Rajiv Kumar Das son of Mahendra Das, Resident of village-
Arar, P.S.- Gawalpara, District- Madhepura

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sub Divisional Magistrate, Madhepura
3. District Supply Officer, Madhepura
4. Block Supply Officer, Murliganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma, Advocate

For the Respondent/s : Mr. Sunil Kumar Mandal, SC 3

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**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY**

ORAL JUDGMENT

Date : 08-04-2024

Heard learned counsel for the parties.

2. The petitioner has filed the writ application for quashing of the order dated 22.02.2016 passed by the learned Sessions Judge, Madhepura in Confiscation Appeal No. 01 of 2016 and release the vehicle i.e. tractor bearing registration no. BR43G-3255 and also for quashing of the order dated 31.03.2015 / 16.5.2016 passed by the learned Collector,



Madhepura in Confiscation Case No. 06 of 2015.

3. Learned counsel for the petitioner contended that this matter is squarely covered under the judgment dated 06.02.2019 passed in **L.P.A. No. 1647 of 2015 (Baleshwar Roy Versus The State of Bihar & Ors.)**.

4. In our opinion, even though the Full Bench has answered the issues, the order of release has already been passed by the competent authority subject to the satisfaction of the said authority of furnishing the security bond. Consequently, I see no reason any further to keep the matter pending and I, accordingly, dispose of this writ petitikon with liberty to the petitioner to approach the District Magistrate, Madhepura for passing of an appropriate order provided the petitioner furnishes the security bond to the satisfaction of the District Magistrate and in that event the District Magistrate shall pass the order in relation to the release or otherwise of the vehicle within six weeks of the date of the production of certified copy of the order before him keeping in view the earlier order dated 31.3.2015/16.5.2015 passed by the District Magistrate, Madhepura.

5. With the aforesaid observations, this writ petition stands disposed of in light of the judgment passed in



Baleshwar Roy (supra).

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.04.2024
Transmission Date	

