

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52302 of 2023

Arising Out of PS. Case No.- Year-0 Thana- District- Vaishali

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ABHISHEK KUMAR SINGH SON OF RAM PRAVESH SINGH VILLAGE
MADHURAPUR DILAWAR GOVARDHAN, P.S.- BIDUPUR, DISTRICT-
VAISHALI

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. MINERAL DEVELOPMENT OFFICER, VAISHALI AT HAJIPUR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 16-07-2024 Heard the parties.

2. This application has been filed on behalf of the petitioner for quashing the order dated 30.06.2023 passed in Confiscation Misc. Case No. 06 of 2023.

3. Learned counsel for the petitioner submits that the entire amount of penalty is Rs. 2,70,000/- and the petitioner is ready to pay the same in three monthly installments.

4. Learned counsel for the mining department and learned APP for the State have opposed the prayer of the petitioner.

5. I have considered the submissions of the parties.

6. In the interest of justice, this application is allowed.



7. Accordingly, the order dated 30.06.2023 passed in Confiscation Misc. Case No. 06 of 2023 is hereby quashed.

8. The petitioner is permitted to pay the fine in three monthly installments. The first installment shall be paid by 31st of July, 2024 and second and third installments shall be paid by 31st of August and 30th of September, 2024.

9. After the payment of the 1st installment, the vehicle bearing Registration No. BR 09 GA 4328 shall be released in favour of the petitioner by way of interim arrangement and after payment of the entire amount, the petitioner shall be at liberty to use the vehicle at his own wishes.

10. Till the payment of the entire amount, the vehicle cannot be sold by the petitioner. The vehicle can only be released after the petitioner furnishes surety of the balance amount after payment of the first installment.

(Sandeep Kumar, J)

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