

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.438 of 2024

Arising Out of PS. Case No.-194 Year-2020 Thana- KATORIYA District- Banka

Phulo Devi @ Phulo Devi Wife of Late Ajay Yadav Resident of village Purani
Sahebganj, PS Dist Sahebganj, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar Through Home Secretary, Govt. of Bihar, Patna Bihar
2. The Director General of Police, Bihar, Patel Bhawan, Patna Patna
3. The Deputy Inspector General of Police, Bhagalpur Bhagalpur
4. The District Magistrate-cum-Collector, Banka Banka
5. The Superintendent of Police, Banka Banka
6. The Deputy Superintendent of Police, Banka Banka
7. The Superintendent of Excise, Banka Banka
8. The Officer Incharge of Katoriya Police Station, Banka Banka

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar
For the Respondent/s : Mr.Gp.14

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-07-2025 Heard the learned counsel for the petitioner and the
learned counsel for the State.

2. This is an application for issuance of an appropriate writ/s, order/s direction/s commanding upon the respondents not to seize the vehicle Scorpio Registration No JH-17-S-7265 of the petitioner as the said vehicle has been released by the Learned Addl. Sessions Judge-II, Banka by order dated 22/12/2020 in Katoriya P.S Case No 194/2020 and also for setting aside the order dated 10/08/2021 Memo No 1342 Law



dated 31/08/2021 passed by the Learned Collector, Banka.

3. After the vehicle in question was directed to be released vide order dated 22.12.2020, confiscation order dated 10.08.2021 vide Memo No. 1342/Law dated 31.08.2021 has been passed by the Collector, Banka.

4. In view of the above, the petitioner is given liberty to challenge the order of the Collector, Banka in Appeal. If any Appeal is filed within one month from today, the same shall be heard on its merits.

5. If the vehicle in question has not been auction sold then the same shall not be auctioned till the disposal of the appeal.

6. The petitioner is also given liberty to file an interim application for release of the vehicle in question during the pendency of this appeal and if such an application is filed then the same shall be decided within 15 days of its filing.

7. With the aforesaid observation and direction, this application is disposed of.

(Sandeep Kumar, J)

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