

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6460 of 2021

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Rohit Kumar Son of Sri Surendra Choudhary Resident of Village-Baratpur
Kothiya, P.S. Didarganj, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Excise Commissioner and Inspector General of Registration, Prohibition, Excise and Registration Department, Government of Bihar, Patna
2. The Collector, Patna.
3. The Additional Collector, Excise Court, Patna.
4. The Station House Officer, Didarganj Police Station, District-Patna.

... .. Respondent/s

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(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Appearance :

For the Petitioner/s : Mr.Bhola Kumar, Adv
For the Respondent/s : Mr. Kumar Manish SC-5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 03-06-2021

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

“For issuance of a writ of mandamus commanding the respondent nos. 3 and 4 to release the vehicle namely PIAGGIO APE CITY PLUS CNG Tempo bearing Registration No. BR01PL1868 in the favour of the petitioner who is owner of the aforesaid vehicle.”

It has been submitted by learned counsel for the State that during pendency of writ petition order of confiscation in **Confiscation Case No. 1192 of 2020-21** has been passed by the



confiscating authority by order dated 18.12.2020 and the vehicle has been auction sold on 29.01.2021, as such present petition for interim release of vehicle has become infructuous.

Petitioner has approached this Court without exhausting the statutory remedy of appeal against the impugned order, as such, petitioner is granted liberty to avail the remedy of appeal against the confiscation order passed by the Confiscating Authority- cum- District Magistrate, before the Appellate Authority and if any such appeal is filed within 8 weeks then appellate authority shall condone the delay in filing the appeal and shall decide the appeal on its own merit preferably within 8 weeks from the date of its filing.

With aforesaid liberty, the writ petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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

