

(2021) 07 PAT CK 0019

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 10750 Of 2021

Owner Of The Vehicle Deepak Kumar Singh

APPELLANT

Vs

State Of Bihar Bihar

RESPONDENT

Date of Decision : 08-07-2021

Acts Referred:

Citation : (2021) 07 PAT CK 0019

Hon'ble Judges : Sanjay Karol, CJ;S. Kumar, J

Bench : Division Bench

Advocate : Ajay Kumar, Kumar Manish

Final Decision : Disposed Of

Judgement

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

That the present writ petition is being filed for directing and commanding the respondents to release the Model No. MARUTI DZIRE VDI, Motor

Car Passenger Car, Regd. No. JH05CP3295, Chasis No. MA3CZF03SKL61614098, Engine No. D13A-3573708 in favour of the petitioner, which has

been seized in connection with Parbalpur PS Case No. 7 of 2021 alleged offence under Section 30(a) of Prohibition and Excise Act.

It has been submitted by learned counsel for the State that during pendency of this writ petition, final order has been passed by the Confiscating

Authority in Confiscation Case No. 85 of 2021 dated 10.03.2021 and vehicle has been directed to be confiscated and put on auction, as such, present

writ petition for interim release of the seized vehicle has become infructuous.

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

appeal and shall decide the appeal on its own merit preferably within 8 weeks from the date of its filing.

During pendency of appeal, the confiscated vehicle shall not be auction sold, if not already auction sold.

With aforesaid liberty, the writ petition is disposed of.