

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.1538 of 2022**

**In**  
**Civil Writ Jurisdiction Case No.3332 of 2022**

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Md. Islam @ Md. Ishlam Son of Md. Aziz @ Shekh Ajij, Resident of Village - Chandmari, P.S.- Chandmari, District - Kohima (Nagaland) at present Resident of Village - Mansurpur Mahna Tara, P.O. and P.S.- Motipur, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The Superintendent of Police, Muzaffarpur.
5. The SHO, Sahebganj Police Station, District - Muzaffarpur.

... .. Opposite Party/s

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**Appearance :**

|                            |                                       |
|----------------------------|---------------------------------------|
| For the Petitioner/s :     | Mr. Satyendra Narayan Singh, Advocate |
| For the Opposite Party/s : | Mr. Kumar Manish, SC-5                |
|                            | Mr. Kumar Pankaj, AC to SC-5          |

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**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**

**and**

**HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)**

**Date : 22-03-2024**

The present M.J.C. is filed for modification of order dated 25.04.2022 passed in C.W.J.C. No. 3332 of 2022.

2. Petitioner in his writ petition has prayed for certain relief relating to release of the subject matter of seized vehicle with reference to order of the learned Additional District Judge-II-cum-Special Judge (Excise Act), Muzaffarpur. It is stated in the relief column “*which has been sent to the learned*



*Collector cum District Magistrate, Sitamarhi for its confiscation.”* Such typographical error has been crept in petitioner’s writ petition. As long as petitioner’s writ petition is not rectified, it is not appropriate to rectify the order of the Co-ordinate Bench dated 25.04.2022 passed in C.W.J.C. No. 3332 of 2022.

3. Accordingly, the present M.J.C. stands disposed of as not maintainable, reserving liberty to the petitioner to file Civil Review petition to recall the order dated 25.04.2022 passed in C.W.J.C. No. 3332 of 2022 seeking recalling the order in the guise of rectification of prayer in the writ petition.

**(P. B. Bajanthri, J)**

**( Alok Kumar Pandey, J)**

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| AFR/NAFR          | NAFR       |
| CAV DATE          | N.A        |
| Uploading Date    | 22.03.2024 |
| Transmission Date | NA         |

