

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9858 of 2018

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Anil Kumar, Son of Sri Gandhi Ram Resident of VPO Matanhail, P.O. +
P.S.- Salawash, District- Jhajjar (Haryana).

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise and prohibition Govt. of Bihar, Patna.
2. The District Magistrate, Patna.
3. Superintendent of Police, Patna.
4. The Excise Superintendent, Patna.
5. The officer- in-Charge of Agamkuan Police Station Patna City, District- Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Surinder Kumar

For the Respondent/s : Mr. Kumar Manish- SC-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3. 06-08-2018

This application has been filed for release of Tata Truck LPT-3118TC bearing its Registration No. PB11CB-7290 which has been seized carrying huge quantity of liquor more than 2220 litres. The owner of the Truck is one Sri Pradeep Kumar Arya, he has not filed the writ petition. Instead the writ petition seems to have been filed by the present petitioner who seems to be attorney holder of the original holder of the truck. At the instance of an attorney holder we are not inclined to release the vehicle in question either the petitioner the owner of the truck himself should file a petition and if he is unable to come to Patna for filing the



petition he may file a petition in accordance with law as may be permissible. Until and unless the owner of the truck himself approaches this court for release of the vehicle, we are not inclined to release the vehicle.

With the aforesaid, we dispose off of the matter.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Rajeev/-

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