

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18430 of 2018

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1. Balram Kumar S/o Saryug Prasad Yadav, R/o Village- More Paschim,
Mokama, P.S.- Mokama, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar Through The Collector, District-Nalanda At BiharSharif,
2. The Collector, Nalanda at BiharSharif.
3. The Superintendent of Police, Nalanda at BiharSharif,.
4. The Excise Suprintendent , Nalanda at BiahrrSharif.
5. The S.H.O. Bind P.S., District- Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Kumar Manish (Sc 5)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

2 18-04-2018

Heard learned counsel for the parties.

This application has been filed for modification in the order dated 20.09.2017 passed in Cr.W.J.C. No.1532 of 2017 whereby this Court had ordered for release of the referred vehicle.

The prayer for modification is on the ground that since



the petitioner had prayed for release of the loaded articles also excluding the excise material, which is two bottles of liquor only, and the said prayer had not been incorporated in the said order. Hence, modification is of formal nature.

It is evident that the petitioner had challenged in the aforesaid writ application the order dated 02.07.2017 passed in Excise Confiscation Case No.21 of 2017 by the Collector, Nalanda at Biharsharif, whereby the Collector had ordered for confiscation of the vehicle only. Hence, this Court granted relief as per the impugned order.

The petitioner is at liberty to move the appropriate authority for release of the loaded goods and the authority shall pass order in accordance with law. There is no need to modify the order of this Court. Hence, this application is disposed of as devoid of any merit.

(Birendra Kumar, J)

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