

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10022 of 2018

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Western Carriers (India) Limited

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Respondent/s : Mr. Kumar Manish -Sc5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 18-05-2018 Petitioner, a transporter, has filed this writ petition primarily on the ground that in a truck bearing Registration No.AS 01DD-1533 which was carrying various materials from Kamrup (Assam) to Hajipur to be delivered at depot of Hindusan Unilever Limited at Hajipur. Certain liquor was seized and the entire truck with all the consignment and the liquor was taken into custody by the authorities of Goraul police station in connection with Goraul P.S. case No.129 of 2018 for various offences under the Excise and Prohibition Act.

It is indicated that in the vehicle in question on the date when it was seized belonging to Hindustan Unilever Ltd. Due to seizure of 12 bottles of imported blue whiskey, total 18 litres and various other prohibited items totaling amounting to 97 litre in



question has also been seized but as the articles under consignment were not prohibited item, it should be released.

Keeping in view of the facts of the case, the averments made and the documents like the invoices brought on record, we see no reason to reject the aforesaid contention of the petitioner. Accordingly, we direct that on the petitioner filing a copy of this order along with relevant documents, tax invoices and other necessary documents before District Magistrate, Vaishali at Hajipur, the respondent No.2, District Magistrate, Vaishali at Hajipur shall release the petitioner consignment subject to one local surety to the satisfaction of the District Magistrate, Vaishali at Hajipur.

With the aforesaid, the matter stand disposed of.

(Rajendra Menon, CJ)

Sanjeev/-

(Rajeev Ranjan Prasad, J)

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