

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2101 of 2019

Paramjit Singh @ Paramjeet Singh son of Darshan Singh R/o Vill- Rukna
Mungla, Patel Nagar, P.S. Kulgari, District- Firozpur, State- Punjab

... .. Petitioner/s

Versus

1. The State of Bihar and Ors. through the Principal Secretary, Excise Department, Patna, Bihar
2. The Collector/District Magistrate, Sitamarhi Bihar
3. The Superintendent of Police, Sitamarhi
4. The Excise Superintendent, Sitamarhi Bihar
5. The Excise Inspector, Sitamarhi Bihar
6. The Officer -in-Charge, Mahindwara O.P. Runnisaidpur, P.S. Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Adv.
For the Respondent/s : Mr.Kumar Manish, SC5

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 05-02-2019

Heard learned counsel for the petitioner and learned
Counsel for the State.

The petitioner prays for release of the rice packed in 395 bags weighing 25 Kgs each, which has been seized in connection with Runnisaidpur P.S. Case No. 646 of 2018 for the offences punishable under Sections 30, 30(g), 38(i) (ii) of the Bihar Prohibition and Excise Act, 2016 because the vehicle through which it was being transported bearing Registration No.NI02N-7272 has been seized on recovery of 95 litres of illicit liquor.

It is stated by learned counsel for the petitioner that he is not concerned either with the confiscation proceeding which is yet to be initiated or the vehicle seized rather the petitioner is aggrieved by



the seizure of : (i) Garima Gold Aromatic Basmati Rice packed in 228 bags, each bag weighing 25 kg.(ii) Shah Mahal Basmati Rice packed in 167 bags, each bag weighing 25kg.

Having heard learned counsel for the parties and taking note of the nature of seizure made as well as the fact that there is no violation complained of any law in so far as the rice in question is concerned, we direct for release of the: (i) Garima Gold Aromatic Basmati Rice packed in 228 bags, each bag weighing 25 kg. and (ii) Shah Mahal Basmati Rice packed in 167 bags, each bag weighing 25kg in favour of the petitioner on production of papers supporting the purchase thereof and its transportation from Punjab by the petitioner in the designated court below.

With the observations and directions above, this writ petition is allowed.

(Jyoti Saran, J)

(Arvind Srivastava, J)

Bibhash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.03.2019
Transmission Date	NA

