

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.241 of 2019

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Sangita Sharma, Wife of Rajib Sharma, Resident of Para- 34 No. Jatiya Sarak,
P.S.- Karandighi, District- Uttar Dinapur, West Bengal, Pin Code- 111111.

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Excise Department,
Govt. of Bihar, Patna
2. The District Magistrate, Saran at Chapra.
3. The Superintendent of Police, Saran at Chapra.
4. The Officer-in-Charge, Police Station- Taraiya, District- Saran at Chapra.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Sharma, Adv.
For the Respondent/s : Mr. Kumar Manish -Sc5

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

3 01-07-2019 Heard learned counsel for the parties.

Considering the quantum of recovery of spirit which is 6400 litres and falls within the definition of ‘Country or Traditional liquor’ as per Section 2(16) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as ‘the Act’) coupled with the fact that there is no paper to support transportation and that a proposal for confiscation of the vehicle has already been moved as stated in paragraph-7 of the counter affidavit filed by the State, we are not persuaded to grant indulgence to the relief made in the writ petition, which is



accordingly disposed of with a liberty to the petitioner to raise
all issues while contesting the confiscation proceeding.

(Jyoti Saran, J)

(Partha Sarthy, J)

Surendra/-

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