

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2245 of 2019

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Kaushilya @ Kaushilya Devi @ Kaushalya, w/o Baliram Nishad, R/o Village
Gurauli Buzurg, PS- Belipar, District Gorakhpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration Excise and Prohibition Department, Government of Bihar Patna.
2. The District Magistrate cum Collector, Saran at Chapra.
3. The Assistant Excise Commissioner, Saran at Chapra.
4. The Superintendent of Excise, Saran at Chapra.
5. The Superintendent of Police, Saran at Chapra.
6. The Vehicle Inspector, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Adv.
For the Respondent/s : Mr. Vivek Prasad, GP-7

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 17-05-2019

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner prays for provisional release of the truck
bearing Registration No.UP-52F-9491, Chasis No.
MAT457403D10230 and Engine No.9471C92DWY817017, which
has been seized in connection with Jalalpur P.S. Case No.190 of
2018, District- Saran for the offences punishable under sections



272, 273, 467, 468 and 471 of the Indian Penal Code and sections 30, 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

Considering the quantum of recovery which exceeds three thousand litres of spirit in view of the earlier orders that we have passed in such matters we are not persuaded to order for interim release of the truck in question.

We thus while giving permission to the petitioner to raise all issues as raised herein during the course of confiscation proceeding, disposed of the writ petition.

(Jyoti Saran, J)

(Anjani Kumar Sharan, J)

skpathak/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.06.2019
Transmission Date	NA

