

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8016 of 2019

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Md. Wazid S/o Md. Jarif Resident of House No. 198, Street No. 1, Ward No. 8, Company Bagh, Tibba Road, P.s.- Basti Jodhawal, Distt.- Ludhiyana, Punjab

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Govt. 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
For the Respondent/s : Mr.Vikash Kumar (Sc11)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 28-06-2019

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

The petitioner prays for provisional release of the Truck (Goods Carrier) bearing registration No. PB-10GK-2706, Engine No. KSY503592, Chasis No. MAT764011H7K15183, which has been seized in connection with Manjhi P.S. Case No. 290 of 2018 for the offences punishable under sections 188, 420, 272 and 273 of the Indian Penal Code and Sections 30, 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.



Having heard learned counsel for the parties and considering the quantum of seizure from the vehicle in question, which is 3073 litres IMFL, we are not persuaded to grant indulgence to the prayer made bearing note of similar rejection in other writ petitions on similar claim exceeding 3000 litres.

However, the petitioner would be at liberty to raise all the issues in the confiscation proceedings.

With the observations above, the writ petition is disposed of.

(Jyoti Saran, J)

(Partha Sarthy, J)

sushma/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	08.07.2019
Transmission Date	

