

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10710 of 2019

=====

Jagdish, Son of Randheer, Resident of 335, Ward No.8, NA. Tajnagar (30),
Patil R.S. Police Station- Farrukhnagar, District- Gurgaon, (Haryana).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Govt. of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Officer in Charge, Kuchaikot, Police Station, District- Gopalganj.

... .. Respondent/s

=====

Appearance :

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

=====

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

Date : 08-08-2019

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. HR55X-7896, Engine No. GEHZ405353
and Chasis No. MB1A2GAD8GREN6600, which has been seized
in connection with Kuchaikot P.S. Case No.392 of 2018 District
Gopalganj for the offences punishable under section 420, 467, 468
and 414 of the Indian Penal Code and sections 30(a), (b), (c), 38,
41(a) and (b) of the Bihar Prohibition and Excise Act, 2016.



It is stated by learned counsel for the petitioner that 3456.720 litres of India Made Foreign Liquor has been seized; the confiscation proceeding is yet to be initiated and the vehicle is lying under the open sky in the police station.

Considering the quantum of recovery we are not persuaded to grant indulgence to the prayer for interim release of the vehicle in question. The petitioner may raise all issues as raised in this writ petition during the course of confiscation proceeding.

The writ petition is dismissed.

(Jyoti Saran, J)

(Partha Sarthy, J)

skpathak/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.08.2019
Transmission Date	NA

