

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 13074 of 2019

Vikash Kumar aged about 22 years, male, son of Shiv Chandra Prasad @ Shivchandra Mahto, Resident of Village- Rasulpur, P.S. Ahiyapur, District- Muzaffarpur.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The Superintendent of Police, Muzaffarpur.
4. The Superintendent of Excise, Muzaffarpur.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Respondent/s : Mr. Vikash Kumar (SC-11)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAKESH KUMAR)

3. 26-09-2019 Heard Sri Manoj Kumar, learned counsel for the petitioner and Sri Vikash Kumar, learned Standing Counsel-11.

The present writ petition was filed with a prayer to direct the respondents to release his *Hyundai* car, bearing Registration No. BR06R-0757, Engine No. G4LA8M010657 and Chassis No. MALAN51CR8M149063G, which was seized in connection with Excise Case No. 65 of 2019, arising out P.R. No. 10 dated 18-04-2019, registered for offence under Section 37(c) of Bihar Prohibition and Excise (Amendment) Act, 2018.

The writ petition was filed on 28th June, 2019. Yesterday, when the matter was taken-up, the Court had asked Sri Vikash Kumar, learned Standing Counsel – 11 to get telephonic instruction on the issue. Today, while the matter was



taken-up, the learned Standing Counsel – 11 informed the Court that he has received information, through *whatsapp*, showing order, contained in Memo No. 1289 dated 25-09-2019, from the office of Superintendent of Excise, Muzaffarpur that direction has already been given for release of the vehicle. Sri Kumar submits that in the said order, it has been indicated that if the registered owner with original document(s) relating to vehicle in question approaches the authority concerned, the vehicle will be handed over to him forthwith.

In view of stand taken by learned State counsel, there is no reason to keep the matter pending.

The writ petition stands disposed of with observation that as and when the registered owner of the vehicle i.e. petitioner appears before the authority concerned alongwith original document(s) of the vehicle, the vehicle shall be handed over to him.

With above observation, the writ petition stands disposed of.

(Rakesh Kumar, J.)

(Anjani Kumar Sharan, J.)

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