

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 14298 of 2019

=====

Rupesh Kumar aged about 23 years (Male), S/o Radhe Ram, Resident of Village - Dhuriya, Ward No. 11, Rasulpur, P.S.- Chousa, Distt.- Madhepura.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Prohibition, Excise and Registration Department, Govt. of Bihar, Patna
2. The Principal Secretary Prohibition, Excise and Registration Department, Govt. of Bihar, Patna
3. The District Magistrate, Madhepura
4. The Superintendent of Police, Madhepura
5. Excise Superintendent, Madhepura
6. The Station House Officer, Chousa Police Station, Chousa.

... .. Respondents

=====

Appearance :

For the Petitioner/s	:	Mr. Ramesh Kumar Singh Mr. Sanjay Kumar Singh
For the Respondent/s	:	Mr. Vivek Prasad (GP-7) Mr. AC to GP - 7

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
and
HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAKESH KUMAR)

2. 14-10-2019 Heard Sri Ramesh Kumar Singh, learned counsel assisted by Sri Sanjay Kumar Singh, learned counsel for the petitioner and learned A.C. to Govt. Pleader – 7.

The petitioner, in the present writ petition, has prayed for directing the respondents to release his Hero Splendor Motorcycle, which was seized in connection with Chousa P.S. Case No. 339 of 2018 registered for offence under Section 30(a)



of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that after seizure of the vehicle, confiscation proceeding was initiated and same has already been confiscated and as such, he requests for disposal of the present writ petition so that petitioner may avail appropriate remedy. Learned counsel for the petitioner also requests for excluding the period consumed in pursuing the present writ petition while considering the limitation matter.

In view of submission made by learned counsel for the petitioner, the writ petition stands disposed of granting liberty to the petitioner to avail statutory remedy.

It goes without saying that the period consumed by the petitioner in pursuing the present writ petition i.e. from 16-07-2019 till date shall be excluded while considering the limitation matter.

With above observation, the writ petition stands disposed of.

(Rakesh Kumar, J.)

(Prakash Chandra Jaiswal, J.)

anay

U			
---	--	--	--

