

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17241 of 2019

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Rohan Kumar Singh Son of Sri Chandra Bhushan Singh the Owner of the Red Colour Hero Company HF-Deluxe Motorcycle Registration No. BR-0IEA 7270 resident of Ward no. 13, Dumri Byjurg, P.S.-Dumri Bujurg, District-Saran, Bihar-841217.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Prohibition, Excise and Registration Department, Govt. of Bihar, New Secretariat, Patna.
2. The Director General of Police, Home Department, Old Secretariat, Patna.
3. The Senior Superintendent of Police, Saran.
4. The Thanadhyaksha, Naya Gaon Police Station, District-Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Gupta
For the Respondent/s : Mr.Kumar Manish (Sc5)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
and
HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH)

2 16-12-2019 Heard learned Counsel for the petitioner and learned Assistant Counsel to Standing Counsel No. 5 for the State.

The present writ application has been filed for release of Hero HF Delux motorcycle, bearing Registration No. BR01EA-7270, which was seized in connection with Nayagaon Police Station Case No. 93 of 2019, registered for the offences punishable under Sections 30/38/41 of the Bihar Prohibition and Excise Act, for the alleged recovery of 8.1 litres of Indian Made Foreign Liquor.



Learned Counsel for the petitioner has not disputed the objection raised by learned State Counsel that the motorcycle in question is registered in the name of one Subham Rai, son of Rajendra Rai, which the petitioner claims to have purchased on 08.07.2019 on payment of Rs. 45,000/- and sale letters were exchanged between them, but admittedly the vehicle in question has not been registered in the name of the petitioner as yet.

This Court is not inclined to entertain the issue of release of the vehicle which is not registered in the name of the petitioner.

This writ application is disposed of with a liberty to the petitioner to take recourse to appropriate remedy once the vehicle in question is being registered in his name.

(Dinesh Kumar Singh, J.)

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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