

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17854 of 2018

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Ravi Kumar Singh Son of Late Ranjeet Singh, Resident of Village-
Khoripakar, Near Bandh, P.S.- Pachpokhri, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Excise Superintendent of Police, East Champaran at Motihari.
3. Officer Incharge, Patahi, P.S.- Patahi District- East Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar
For the Respondent/s : Mr. Anil Kr. Sinha- Ga 1

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 25-02-2019

Heard learned counsel for the petitioner and learned
counsel for the State.

This application has been filed seeking provisional
release of the Motorcycle (Bullet) bearing Registration No. BR-
06BC-1936, Chasis No. ME3U3S5C1GK688145 and Engine No.
U3S5C1GK319690 which has been seized in connection with
Patahi P.S. Case No. 78 of 2018 for the offence punishable
under Sections 188, 290, 353 and 34 of the Indian Penal Code
Sections 37(B), 37(C) and 37(D) of Bihar Prohibition and
Excise Act, 2016 and Sections 184 and 185 of the M.V. Act.



Learned counsel for the petitioner submits that there is no recovery of illicit liquor from the vehicle in question rather the vehicle in question has been seized on charge of drunken driving. It is submitted that no confiscation proceeding is pending in respect of the vehicle in question.

Considering the facts and circumstances of the case and also the judgment of the Hon’ble Division Bench in the case of **Diwakar Kumar Singh Vs. The State of Bihar through the Principal Secretary, Excise Department & Ors.** reported in **2018(3) PLJR 403**, the designated court below is directed to release the vehicle in question in favour of the petitioner within 14 days on production of the document showing the ownership of the vehicle and registration certificate in the name of the petitioner, if not already released.

This writ petition is allowed.

(Jyoti Saran, J)

(Arvind Srivastava, J)

brajesh/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

