

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16581 of 2018

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Premnath Rai S/o Girja Rai, R/o Village- Bajitpur Chakasturi, P.S.-Desari,
District-Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary, Bihar, Patna
2. Principal Secretary, Home, Bihar, Patna.
3. Excise Commissioner, Bihar, Patna.
4. D.M. vaishali, Bihar.
5. S.P., Vaishali
6. S.H.O., Mahnar P.S., Vaishali

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rina Sinha
For the Respondent/s : Mr.Vikash Kumar- SC 11

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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

Ms. Reena Sinha, learned counsel appearing for the petitioner informs that in absence of recovery of any intoxicant from the vehicle in question that it has been apprehended on allegation that it was escorting a vehicle transporting liquor.

It is submitted by the learned counsel for the petitioner that the petitioner is the owner of the Hero Glamour Motorcycle bearing Registration No. BR-31Z-4863 and there is no recovery from the said vehicle. In support of the submission, learned counsel makes reference to the first information report to submit that there are two seizure lists and while the first at



page 17 deals with the recovery of intoxicant from the motor vehicle, the seizure list in relation to the motorcycle at page 18 does not reflect any recovery of intoxicant.

Having heard learned counsel for the parties and taking note of the fact that no recovery has been made from the vehicle of the petitioner, we, hereby, direct the District Magistrate-cum-Collector, Vaishali to examine the grievance of the petitioner and pass appropriate orders for release of the vehicle in question, if not already released, within a fortnight of receipt/production of a copy of this order.

The writ petition is disposed of with the above observations/directions.

(Jyoti Saran, J)

(Arvind Srivastava, J)

mcv/-

AFR/NAFR	NAFR
CAV DATE	NA
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