

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12476 of 2018

In
Criminal Writ Jurisdiction Case No.842 of 2018

=====

Shankar Sao son of Sitaram Sao, Resident of Village- Singra Chauparan,
P.S.- Chauparan, District- Hazaribagh (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department,
Govt. of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Gaya.
3. The Superintendent of Police, Gaya.
4. The S.H.O., Barachatti, P.S.- Gaya,

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : None.

For the Respondent/s : Mr. A.K. Sinha- GA-1

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 01-04-2019

While we noticed that continuously there is no representation on behalf of the petitioner to press this writ petition, counsel for the State is present. We also take note that although final order has been passed in the confiscation case on 22.09.2017 but the order has not been questioned rather the petitioner has prayed for provisional release of the vehicle seized in connection with Barachatti P.S. Case No. 489 of 2016.

It is rather surprising that even when the order passed in confiscation case No. 119 of 2017 has been enclosed as Annexure-2 to the writ petition, yet the petitioner has not



questioned its validity before this Court nor any statement is present whether it has been put to challenge before the appropriate Appellate Authority.

In such view of the matter, we dispose of the writ petition allowing liberty to the petitioner to question the confiscation order before an Appellate Authority under the provision of Bihar Prohibition and Excise Act, 2016.

This writ petition is disposed of accordingly.

(Jyoti Saran, J)

(Arvind Srivastava, J)

Brajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.04.2019
Transmission Date	

