

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.100 of 2020**

Arising Out of PS. Case No.-261 Year-2019 Thana- KHAGAUL District- Patna

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SHAHNAJ PRAVIN W/o Md. Aslam Residence of Village- Badi Badalpura,  
P.S.- Khagaul, District- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH PRINCIPAL SECRETARY DEPTT.  
OF EXCISE BIHAR, PATNA.
2. Secretary, Department of Home, Bihar, Patna.
3. The District Magistrate cum Collector, Patna.
4. The Superintendent of Police, Patna.
5. The S.H.O. cum Sub- Inspector of Police, Khagaul P.S., District- Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr.Amresh Kumar Sinha |
| For the Respondent/s | : | Mr.Vikash Kumar       |

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      25-02-2020                      Heard learned counsel for the petitioner and  
learned counsel appearing on behalf of the State.

The present application has been filed to direct  
the respondents to release the vehicle, TVS APACHE RTR  
160(BS IV) Black Colour, bearing registration No. BR01DZ-  
8784 seized in connection with Khagaul P.S. Case No.  
261/19 dated 12.10.2019 for the offence under Section 30-A  
of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that  
subsequent to the seizure, the vehicle in question has also



been seized and it is languishing. It is submitted that he is willing to offer sureties to the satisfaction of the value of the vehicle or as directed by the Collector and produce all relevant papers regarding its ownership. He further submits that as and when required, he shall produce the vehicle before the Court.

Learned counsel for the State submits in his counter affidavit filed today that so far as the S.S.P., Patna has not sent confiscation report of the aforesaid matter and that appropriate action will be taken once confiscation is required before the Court of District Magistrate, Patna. Learned counsel for the petitioner further submits that he will take necessary steps to appear before the Special Court/Collector wherever the matter is pending as on date.

It is accordingly directed that the petitioner will appear before the Special Court, Excise, Patna, with a copy of the order and also the necessary documents of the vehicle TVS APACHE RTR 160(BS IV) Black Colour, bearing registration No. BR01DZ-8784 seized in connection with Khagaul P.S. Case No. 261/19 indicating his ownership and also furnish sureties to the satisfaction of the said Court who shall release the vehicle in question after accepting such sureties.



The writ application thus stands disposed off.

**(Anjana Mishra, J)**

Saif/-

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