

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9432 of 2020

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Pawan Kumar, Son of Late Surendra Prasad, Resident of Muhalla- Pupri,
Ward No. 6, Police Station- Pupri, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration Excise and Prohibition Department, Government of Bihar, Patna.
2. The Principal Secretary, Registration Excise and Prohibition Department, Government of Bihar, Patna.
3. The Collector-cum-District Magistrate, Darbhanga.
4. The Superintendent of Excise, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.
For the Respondent/s : Mr. Kumar Manish, S.C. 5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 17-12-2020

The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

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

Petitioner has prayed for following reliefs:-

“(i) “To issue an appropriate writ(s)/order(s)/direction(s) in the nature of a writ mandamus,



directing the respondent Collector to release the vehicle of the petitioner namely TVS Scooty Motor-cycle, bearing Registration no. BR-30U-6546, Chassis No. MD626EG43J1E94150, Engine No. EG4EJ1832400 which has been seized by the police officials under Jale Police Station, bearing Jale P.S. Case No. 108 of 2019 instituted for the offence under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2016.

(ii) To grant any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of the case.”

It is submitted on behalf of counsel for the State that final order in confiscation proceeding has been passed by the confiscating authority, as such, present petition for interim release of the seized vehicle has become infructuous.

The writ petition is disposed of with liberty to petitioner to file appeal before the appellate authority against the order passed by the Confiscating Authority and, if any, such appeal is filed by the petitioner within eight weeks, the appellate authority shall condone the delay in filing appeal and shall



decide the appeal on merit within eight weeks from the date of
its filing.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.01.2021
Transmission Date	NA

