

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7293 of 2020

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Girjanand Chaudhary, son of Yogendra Choudhary, resident of Bijulia Ramgarh Cantt, Near Pawan Petrol Pump, P.O.- Ramgarh, Jharkhand

... .. Petitioner/s

Versus

- 1) The State of Bihar through the Excise Commissioner, Government of Bihar, Patna
- 2) The District Magistrate cum Collector, Gaya
- 3) The Senior Superintendent of Police (SSP), Gaya
- 4) The Excise Superintendent, Gaya
- 5) The Excise Inspector, Sherghati and Imamganj, District, Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Udbhav Mr.Mukesh Kumar, Advocate
For the Respondent/s	:	Mr.Lalit Kishore (Ag) Mr. Vikash Kumar, SC 11

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

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

Date : 26-08-2020

Petitioner has prayed for following relief:-

- A. For issuance of an appropriate writ/writs to direct the respondent authorities to release the petitioner four wheeler vehicle model “Maruti Swift Dezire Car” bearing registration No.JH-02W-0940, Chassis No. MA3JKD150170222, Engine No.K12MN1190405, which has been seized by the Excise police personnel in connection with Excise Case No.407/2018 punishable u/s 30(a) and 56(b) of Bihar Prohibition and Excise Act, 2016 whereby and whereunder the Excise Police personnel mechanically seized the



aforesaid vehicles of the petitioner.

B. And for any other relief/reliefs for which the petitioner is found to be entitled under the provision of law involved in the present case.”

Petitioner has approached this Court against the final order dated 12.3.2019 passed by the Collector-cum-Confiscating Officer, Gaya in Confiscation Case No.39 of 2019 by which the seized vehicle has been ordered to be confiscated and auction sold as such, writ petition is disposed of with liberty to petitioner to avail the statutory remedy of appeal/revision as provided under the Act before approaching this Court. If any such appeal is filed by the petitioner within 30 days then appellate authority shall condone the delay in filing the appeal as the matter remained pending before this Court and decide the appeal on merit within 30 days from the date of filing of such appeal.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.09.2020
Transmission Date	NA

