

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7873 of 2020

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Shailesh Shukla Son of Uma Shankar Shukla, Resident of Village- Pipra
Mustakil Agarawa, Pipra Mishr, P.S.-Tarya Sujan, District-Kushinagar (U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Govt. of Bihar, Patna.
2. The District Magistrate-Cum-Collector, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Station House Officer (S.H.O.), Thawe Police Station, Gopalganj.
5. The Investigating Officer of Thawe P.S. Case No. 186 of 2018, Thawe
Police Station, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra
For the Respondent/s : Mr. Kumar Manish, SC 5

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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 : 21-09-2020

Heard the parties.

Petitioner has prayed for following relief:-

“For issue of writ in nature of
mandamus or any other appropriate writ(s), order(s),
direction(s) to respondents to release the Maruti
Suzuki Wagonar VSI bearing Reg. No.UP-57T/8148,
Chassis No.MA3EWDE1S00109597, Engine
No.K10BN4049602, which has been seized in
connection with Thawe P.S. Case No.186/2018 dated



11.09.2018 for offence under Sections 30(a), 35 and
38 of the Bihar Prohibition and Excise Act, 2016.”

It has been submitted on behalf of petitioner that during pendency of this writ petition, final order has been passed by the Collector, Gopalganj in Confiscation (Excise) Case No.205/2019 and vehicle has been directed to be confiscated and put on auction as such present writ petition for interim release of the seized vehicle has become infructuous.

Petitioner is granted liberty to file appeal against the order of District Collector/Confiscating Officer, Gopalganj before the appellate authority within 60 days and if any such appeal is filed, the appellate authority shall condone the delay in filing the appeal and shall decide the appeal on merit within 60 days from the date of filing of such appeal.

With aforesaid observation and liberty, this writ petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

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

