

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13742 of 2019

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Shreeram Kumar Paswan Son of Sri Kant Lal Paswan, Resident of village -
matiyar Khurd, Ward No.- 1, P.S.- Sahiyara, 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 Collector/ District Magistrate Sitamarhi, District- Sitamarhi.
3. The Excise Deputy Commissioner, Sitamarhi.
4. The Superintendent of Police, Sitamarhi.
5. The Superintendent of Excise, Sitamarhi.
6. The S.I. Shambhu Nath Singh, S.H.O. of Sahiyara Police Station, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Virendra Kumar
For the Respondent/s : Mr.Kumar Manish (Sc5)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 10-01-2020 Heard learned counsel for the petitioner and learned
counsel for the Respondents.

This is an application for release of the Discover
Motorcycle bearing Registration No. BR-30T/2495, Engine No.
JBYRJL00006, Chassis No. MD2A15AY6JRL00359, in favor
of petitioner which was seized in connection with Sahiyara P.S.
Case No. 28 of 2019 dated 12.03.2019 registered under Sections
188, 272, 273 of Indian Penal Code and Section 30(a) of Bihar
Prohibition and Excise ct, 2016.

For the reasons explained, we modify our order dated



17.12.2019 clarifying that no cost in terms thereof be deposited.

It has come on record that Confiscation Case No. 739 of 2019 already stands concluded.

As such, in our considered view, no other and further order can be passed in the present petition, save and except which is being passed herein under, on mutually agreeable terms:-

(1) The petitioner shall file an appeal on or before 07.02.2020.

(2) If the appeal is filed within the aforesaid period, the issue of limitation shall not be raised by the State.

(3) The parties undertake to join and fully cooperate in the said proceedings.

(4) It is expected of the authority concerned to decide the said appeal expeditiously and preferably within a period of three months.

(5) All issues left open.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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