

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13828 of 2019

Ashok Kumar Son of Kuleshwar Saw, Resident of Village- Beltu, Post-Kandaber, Police Station- Keredary and District- Hazaribagh, Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate-Cum-Collector, Gaya.
3. The Senior Superintendent of Police, Gaya.
4. The Excise Superintendent, Gaya.
5. The Inspector, Excise, Chek Post- Dobhi, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Respondent/s : Mr.Vikash Kumar (Sc11)

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 (Maruti Suzuki Wagon R VXi) of the petitioner bearing Registration No. JH-02AP-1178 having Engine No.- K10BN4848433 in favour of petitioner, which was seized by the Excise Official, Gaya in connection with Excise Case No. 06 of 2019 registered for offence under sections 30(a) and 56(Kh) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

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. 129 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/-

U			
---	--	--	--

