IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15560 of 2019

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Mohammad Tabrez S/o- Mohammad Kudush Resident of Village- Bhirkhi, Ward No. 24, P.S.- Madhepura, District- Madhepura.

... ... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Excise and Prohibition, Govt. of Bihar, Patna.
2. The District Magistrate, Madhepura.
3. The Senior Superintendent of Police, Madhepura.
4. The Excise Inspector, Madhepura.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Nafisuzzoha, Adv
For the Respondent/s : Mr.Kumar Manish (Sc5)

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

Date : 29-06-2020

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

Petitioner has prayed for the following relief: -

"For issuance of an appropriate writ in the nature of Mandamus for direction the respondents to release the Hero Splendor Motorcycle of the petitioner bearing registration no. BR-43N-4811, Registered on 29.11.2018 Engine No. HA10AGJ4L08157, Chasis No. MBLHAR080J4L03963, brand name Hero Motorcycle which was seized in connection with Madhepura Excise Case No. 45/2019-20 dated 07.05.2019 instituted for the offence u/s 30(a) of the Bihar Prohibition and Excise Act,

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2016(Amendment).”

It has been submitted by learned counsel for the State that the final order has already been passed by the confiscating authority, as such present petition for provisional/interim release of the vehicle has become infructuous, which is not disputed by the learned counsel for the petitioner.

Accordingly, the present petition is dismissed as having become infructuous granting liberty to the petitioner to avail the statutory remedy of appeal/revision against the order passed by the Confiscating Officer by which the vehicle has been ordered to be confiscated.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.06.2020
Transmission Date	NA

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