

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15612 of 2019

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Daisy Devi, Wife of Chandramauli Kumar, Resident of Village- Sorhipur,
Police Station- Warisaliganj in the district of Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. The Principal Secretary, Excise Department, Government of Bihar, Patna.
3. The District Magistrate-Cum-Collector, Nalanda.
4. The Superintendent of Police, Nalanda.
5. The Officer-in-Charge, Giriak, P.S. in the District of Nalanda
6. The Officer-in-Charge, Katrisarai, P.S. in the district of Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the Respondent/s : Mr. Vikash Kumar (SC11)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 14-01-2020 Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief:-

- “(i) To direct the respondents to release the Scorpio vehicle of the petitioner bearing Reg. No.BR27E-2456 in favour of the petitioner which has been seized in connection with Giriak (Katrisarai) P. S. Case No.372 of 2018 u/s. 30/38/41 of the Bihar Prohibition and Excise Act, 2016.
- (ii) Also for any other relief/reliefs for which the petitioner is found to be entitled in the eye of law.”



It is submitted that Confiscation Case No.14 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.

The writ petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

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