

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21613 of 2019

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Sanjog Kumar son of Late Ramashish Singh resident of Village- Chatra, P.S.-
Phesar and District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,
Govt. of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Superintendent of Police, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Verma

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 : 12-11-2020

This case has been listed under the heading “To be
Mentioned” to recall the order dated 19.10.2020.

This case was disposed of on 19.10.2010, however,
due to inadvertence, wrong order was recorded that case has
been adjourned for 4.11.2020, as such, order dated 19.10.2020
is recalled and following order shall be read to have been passed
on 19.10.2020.

Petitioner has prayed for the following reliefs: -

“For release of the BOLERO PIK-UP FB PS 1.29T
vehicle bearing Engine no. TBJ1K89773, Chasis
no. MA1ZN2TBKJ1K86804 which has been
seized by the concerned police official on the



allegation of carrying illegal country made liquor in connection with Aurangabad Muhfassil P.S. Case No. 212 of 2018 instituted for offences punishable under section 30(a) of the Bihar Excise Amendment Act, 2018.”

It is submitted on behalf of parties that during pendency of this writ petition the final order of confiscation of seized vehicle has been passed by the confiscating authority as such, present writ petition for interim release of the vehicle has become infructuous.

The writ petition is disposed of with liberty to petitioner to file appeal before the appellate authority against the order passed by the confiscating authority and if any such appeal is filed within 60 days, the appellate authority shall condone the delay in filing appeal as the matter remained pending before this Court and shall decide the appeal on merit in accordance with law within 60 days from the date of filing of such appeal.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.11.2020
Transmission Date	NA

