

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.22952 of 2019**

=====

Amir Chandra Kumar @ Amir Chand Ram S/o Sri Jay Narayan Ram Resident  
of Village and P.o.- Dahgama, P.o.- Dumri, P.s.- Karjain, Distt.- Supaul  
... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,  
Govt. of Bihar, patna
2. The District Magistrate Distt.- Supaul
3. The Superintendent of Police Distt.- Supaul
4. The Station House Officer (S.H.O.) Ratanpura Police Station, Distt.- Supaul  
... .. Respondent/s

=====

**Appearance :**

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

=====

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

3      14-01-2020                      The petitioner has prayed for the following relief:

“For issuance of a writ preferably in the nature of Mandamus commanding and directing the Respondent authority concerned to release Bolero Vehicle bearing Registration No. BR-50P-1124 in favour of the petitioner which has been illegally seized in connection with Ratanpura P.S.Case No. 40 of 2017, registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016 and the petitioner also prays for stay of the confiscation proceeding in court of Collector/District Magistrate, Supaul, if any.”

Learned counsel for the petitioner submits that Confiscation Case No. 354 of 2017 already stands concluded as such he seeks permission to withdraw the present petition



reserving liberty to prefer an appeal, as stipulated under the provisions of Bihar Prohibition and Excise Act, 2016.

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 04.02.2020.

(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)**

sujit/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

