

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24008 of 2019

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Pramod Kumar Yadav @ Pramod Kumar Yadava, Son of Laxman Prasad Yadav, R/o Village-Bhupbhairo, P.S. and District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Prohibition and Excise, Govt. of Bihar, Patna.
2. The District Magistrate, Sitamarhi.
3. The Superintendent of Police, Sitamarhi.
4. The Station House Officer of Nanpur Police Station, District - Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Respondent/s : Mr.Kumar Manish (Sc5)

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

(Per: HONOURABLE THE CHIEF JUSTICE)
(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

3 06-07-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner has prayed for following relief:-

“1. This writ application is being filed for issuance of a writ in the nature of mandamus directing the respondent no.2 to release the Vehicle (Mahindra Pick-up Van) bearing Registration No.BR06GB-0148 seized in connection with Nanpur P.S. Case No.226 of 2019 registered under Sections 30(a) and 38 of the Bihar Prohibition and Excise Act in favour of the petitioner and further for any other appropriate writ, writs order/orders direction/directions for which the petitioner is entitled to in the facts and



circumstances of the case.”

Learned counsel for the State has submitted that during pendency of this writ petition, final order of confiscation has been passed by the District Magistrate as such present petition for provisional release of vehicle has become infructuous.

Counsel for the petitioner, if so advised, may avail the statutory remedy of appeal/revision against the order passed by the confiscating authority.

Accordingly, this petition is disposed of

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

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