

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24791 of 2019

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Md. Sohail Nabi @ Sonu Son of Md. Razi Ahmad@ Chhotan, Resident of
Village- Gagan Diwan, P.S. Laheri, District- Nalanda, Add. Garh More
Nawabhat, P.S. Burdwan Sadar Burdwan, District- Burdwan-713101

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Excise, Bihar, Patna.
2. The District Magistrate, Nalanda at Bihar Sharif.
3. The Superintendent of Police, Nalanda at Bihar Sharif.
4. The Police Inspector Cum S.H.O. Laheri Police Station.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha
For the Respondent/s : Mr. Vivek Prasad (Gp7)

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

Date : 07-07-2020

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

Petitioner has prayed for following reliefs:-

“(1) That this application is directed for the
direction to the respondents to release the vehicle Truck
Model-Tata 3118C bearing Registration No. WB-41-G-
7084, Engine No. B591803241F63381072, Chassis No.
MAT466420E3F13361 in favour of the petitioner, who is
the sole owner of the vehicle, seized in connection with
Laheri PS Case No. 464 of 2019 instituted under Section
30(A) of Bihar Prohibition & Excise Amendment Act-



2016.”

During pendency of this writ petition, final order has already been passed by the confiscating authority, as such present petition for release of vehicle has become infructuous.

Accordingly, the present petition is dismissed as having become infructuous, granting liberty to the petitioner to file appeal against the order of confiscation within 30 days from the date of the order passed by this Court, and, if any, such appeal is filed, delay in filing appeal shall be condoned, as the case remained pending before this Court and if any such appeal is filed by petitioner same to be decided within 30 days from the date of filing.

During pendency of appeal, the confiscated vehicle is directed not to be auction sold, if not already, auction sold.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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

