

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1205 of 2020

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Vijay Ray S/o Munshi Ray R/o Village- Chirand, P.S. Doriganj, District Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Bihar, Patna.
2. The District Magistrate, Saran.
3. The Superintendent of Police, Saran
4. The Officer-in-Charge, Doriganj, Police Station Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Hari Mohan Tripathi, Adv.
For the Respondent/s : Mr.Vikash Kumar (Sc11)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 09-07-2020

The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

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

Petitioner has prayed for the following reliefs: -

- (a) “For issuance of appropriate writ in the nature of mandamus commanding and directing the respondents authorities to



release the Boat of the petitioner bearing registration No. BRD1571 seized by the Doriganj police of Doriganj P.S. Case No. 276 of 2018 registered under Sections 272, 273 and 34 of I.P.C. and Section 30(A) and 38 of Bihar Prohibition and Excise Act, 2016, in favour of the petitioner or his representative, the Boat in question has been seized with alleged by wine total only 300 ltr country made wine, the case is presently pending in the court of learned A.D.J. VI cum Special Judge, Excise, Saran.

(b) “For the issuance of any other relief/reliefs to which the petitioner may found entitled to in the facts and circumstances of present fact and circumstances of the case in favour of the petitioner.

It has been stated on behalf of counsel for the State that final order of confiscation has already been passed by the Confiscating Authority and petitioner has remedy of appeal/revision against said order, as such, writ petition is disposed of with liberty to petitioner to challenge the final order passed by the Confiscating Authority before the appellate authority and if any, such appeal is filed, the appellate court shall condone the delay in filing the appeal as the matter remain



pending in this Court and shall decide the appeal on merit preferably within 30 days.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	
Transmission Date	N.A.

