

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5227 of 2021

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Gupteshwar Prasad Son of Late Hari Prasad Resident of Village and P.O.-Tiar,
P.S.-Tiar (Bihia), District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Govt. of Bihar, Patna
2. The Commissioner, Excise, Bihar at the Court of Patna.
3. The Collector-Cum-District Magistrate, Buxar.
4. The Superintendent of Police, Buxar.
5. That officer-in-Charge, Sonbarsha O.P. (Nawanagar), District-Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Singh, Adv
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 : 13-07-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“That the present writ application is being filed by the petitioner for issuance of appropriate writ/writs, order/orders, direction/directions for commanding the respondents to release the TATA Pick Up Van bearing Registration No. BR-44G-6279 which has been seized in connection with Sonbarsa O.P. (Nawanagar), P.S. Case No. 198 of 2018 dated 15.10.2018 instituted for the offence U/s 30(a) of Bihar Excise Prohibition Amendment Act, 2018.”

Petitioner has approached this Court without availing the statutory remedy of revision against the impugned appellate order, as such, liberty is granted to petitioner to file revision



against the appellate order before the Revisional Authority and if any such Revision is filed within 8 weeks, then Revisional Authority shall condone the delay in filing the revision petition and shall decide the revision petition preferably within 8 weeks from the date of its filing on its own merit.

During pendency of revision petition, confiscated vehicle shall not be auction sold, if not already auction sold.

With aforesaid liberty, the writ petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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

