

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2843 of 2021

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Arvind Kumar, Son of late Deo Lakhan Singh, Resident of Village-
Nadiyawan, P.S.-Kako, District-Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Prohibition Excise and Registration Department, Main Secretariat, Patna.
2. District Magistrate, Patna.
3. Superintendent of Police, Patna.
4. Station House Officer, Ramkrishna Nagar Police Station Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Respondent/s : Mr.Vikash Kumar (S.C. 11)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 12-02-2021

Heard the parties.

Petitioner has prayed for following relief:-

“For a direction to the respondents to release the Truck bearing registration No. BR-25G-4098, so registered in the name of petitioner, which has been seized in connection with Ramkrishna Nagar (Patna) P.S. Case No. 55/2020 dated 03.02.2020 registered for alleged offence under Section 30(A) of the Bihar Prohibition and Excise Act 2018, considering that the confiscation proceeding for permanent confiscation of the above noted commercial vehicle being Truck having registration no. BR-25G-



4098 owned by the petitioner has not yet been initiated.”

It is submitted on behalf of counsel for the petitioner that during pendency of this writ petition final order of confiscation has been passed by the Confiscating Authority, as such, present petition for provisional release of vehicle has become infructuous.

This writ petition is disposed of with liberty to petitioner to avail the statutory remedy of appeal against the order passed by the Confiscating authority, by which the vehicle has been ordered to be confiscated and put on auction sale. If any such appeal is filed within four weeks, the appellate authority shall decide the appeal within eight weeks from the date of filing of such appeal and during pendency of appeal, the confiscated vehicle shall not be auction sold, if not already auction sold.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.02.2021
Transmission Date	NA

