

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9409 of 2021

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Uday Kumar Singh S/o Satya Narayan Singh, Resident of Village-Kanchanpur, P.S.-Bidupur, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Bihar, Patna.
2. The Divisional Commissioner, Excise Department, Muzaffarpur
3. The Collector-Cum-District-Magistrate, Vaishali.
4. The Superintendent of Police, Vaishali.
5. The Dy. S.P., Vaishali.
6. Sujeet Kumar, ASI, Ganga Bridge P.S., District-Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate
For the Respondent/s : Mr. Kumar Manish, S.G. 5

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

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

Date : 01-07-2021

Heard the parties.

Petitioner has prayed for following relief(s):-

- “(i) For issuance of any appropriate writ or writs, rule or direction especially in the nature of mandamus directing the respondent District Magistrate Vaishali to release three-wheeler tempu bearing its registration no. BR31P-5254 which has been seized in connection with Ganga Bridge P.S. Case No. 151/2018 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2018.
- (ii) For issuance of any appropriate writ of writs, rule or direction as his lordships may deem fit and proper to the fact and circumstances of the case as well as



for which the petitioner may found entitled thereto.”

It is submitted on behalf of counsel for the State that during pendency of this writ petition, final order of confiscation has already been passed by the Collector-cum-District Magistrate, Vaishali, as such, the present writ petition for interim release of vehicle has become infructuous.

The writ petition is disposed of with liberty to petitioner to avail the remedy of appeal against order passed by the District Collector-cum-Confiscating Authority before the appellate authority, and if any, such appeal is filed within eight weeks, the appellate authority shall condone the delay in filing appeal as the matter remain pending before this Court and shall decide the appeal on its own merit preferably within eight weeks from the date of its filing.

The writ petition is accordingly disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

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

