

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10095 of 2020

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Ahad Khan, S/o- Riasat Ali, Resident of Village- Rasulpur, Sangrur, Police
Station- Rasulpur, District- Sangrur, Punjab- 148021.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Prohibition, Excise and
Registration Department, Govt. of Bihar.
2. The Excise Commissioner, Govt. of Bihar.
3. The Deputy Commissioner (Excise), Govt. of Bihar.
4. The Assistant Commissioner (Excise), Govt. of Bihar.
5. The District Magistrate, Saran.
6. The Senior Superintendent of Police, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vishal Vikram Rana, Advocate Mr. Sanjeev Kumar, Advocate
For the Respondent/s	:	Mr. Kumar Manish, SC-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 22-01-2021 Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

“For issuance of writ in teh nature of
Mandamus or any other appropriate
writ/direction/order to the respondents to release
the seized Truck bearing registration no.PB12Q
9497 (Engine No.497TC92PXY865835 and
Chassis No. MAT457403C7P43678, Registration
Date 09-03-2013 in favor of the petitioner, seized
in connection with Rasulpur P.S. Case No. 138 of
2019 Dated 11.09.2019, pending before the learned



Special Judge (Excise), Chapra and in which till date no confiscation proceedings has been initiated before the concerned District Magistrate, Chapra.”

It has been submitted by learned counsel for the State that during pendency of this writ petition, final order dated 29.06.2020 has been passed in Confiscation Case No. 1122 of 2019 and vehicle has been directed to be confiscated and put on auction as such present writ petition for interim release of the seized vehicle has become infructuous.

Petitioner is granted liberty to file appeal against the order of District Collector/Confiscating Officer, Chapra before the appellate authority within 60 days and if any such appeal is filed, the appellate authority shall condone the delay in filing the appeal and shall decide the appeal on merit within 60 days from the date of filing of such appeal.

With aforesaid observation and liberty, this writ petition is disposed of.

(Sanjay Karol, CJ)

(Prabhat Kumar Singh, J)

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