

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 14363 of 2021

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Sanjay Kumar Sharma, Son of Late Tara Prasad Singh resident of Village -
Arap, P.S. Bikram, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Bihar Prohibition and Excise Department, Bihar, Patna.
2. The Commissioner Excise, Bihar, Patna.
3. The District Magistrate - cum - Collector, Gaya.
4. The Superintendent of Police, Gaya.
5. The Officer - in - charge of Barachatti Police Station, District - Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Niwas Prasad, Advocate
For the Respondent/s : Mr. Kumar Manish (S.C. 5)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

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

Date : 21-08-2021

Heard learned counsel for the parties.

Petitioner has prayed for following relief(s):-

(I) To issue a writ in the nature of Certiorary for quashing the order dated 26.02.2021 passed by the Excise Commissioner, Bihar, Patna in Excise Appeal No. 126 of 2021.

(ii) To issue a writ in the nature of nature of certiorary for quashing the order dated 17.11.2020 passed by the Collector, Gaya in Confiscation (Excise) Case No. 309/2019 arising out of Barachatti P.S. Case No. 215/2019 under Sections 30(a), 38, 47 of the Bihar Excise and Prohibition Act, 2016 whereby and whereunder he has confiscated the Tata Indigo Vehicle bearing Reg. No. BR01CM-0874 under the purported exercise of powers conferred under Section 58 of the New Excise Act, 2016 and directed for public auction in the public interest and

further stay the operation of auction proceeding issued by the office of District Magistrate, Gaya and release the same in favour of the petitioner.
(iii) Any other relief/s to which the petitioners are entitled in the facts and circumstances of the case.”

Learned counsel for the petitioner seeks permission to withdraw this petition.

Permission is granted.

This petition is dismissed as withdrawn.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

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