

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10062 of 2020

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Md Shahid Ali, Son of Shamsuz Zoha @ Shamsu Zoha, Resident of Mohalla - Baradari, Police Station- Biharsharif, District - Nalanda, at present House No. E 106, Street No. 4, Shastri Park, Police Station- Bhajan Pura, District North East Delhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Prohibition and Excise, Government of Bihar, Patna.
2. The District Magistrate, Nalanda at Biharsharif.
3. The Superintendent of Police, Nalanda at Biharsharif.
4. The Superintendent of Excise, Nalanda at Biharsharif.
5. The Sub Divisional Police Officer, Sadar, Nalanda at Biharsharif.
6. The Police Sub Inspector cum Station House Officer, Laheri Police Station, District - Nalanda at Biharsharif.
7. The Assistant Sub Inspector of Police, Laheri Police Station, District - Nalanda at Biharsharif.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Udbhav, 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 JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-01-2021

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

“ for issuance of an appropriate writ, order or direction for directing the respondent authorities to release of Scorpio Vehicle of the petitioner bearing Registration



No.BR21P-4118, Chasis No.MA1TA 2TKJ 2A 15770, Engine No. TDJ4A79375 (White Colour) which has been seized in connection with Laheri P.S. Case No. 34/2020 dated 26.01.2020 registered for the alleged offence under section 30(a) of the Bihar Prohibition and Excise Act, 2016”

It has been submitted by learned counsel for the State that during pendency of this writ petition, final order dated 14.01.2021 has been passed in Confiscation Case No. 48 of 2020 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.

As such, the present petition stands disposed of reserving liberty to the petitioner to file appeal against the final order before the concerned appellate authority within 60 days. If any such appeal is filed, the appellate authority shall condone the delay in filing the appeal and shall decide the appeal on merits within 60 days from the date of filing of such appeal.

(Sanjay Karol, CJ)

(Prabhat Kumar Singh, J)

Ashwini/-Anil

AFR/NAFR	
CAV DATE	
Uploading Date	19.01.2021
Transmission Date	

