

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9886 of 2020

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Lakhindra Sahani Son of Manogi Sahani Resident of Village Dharpur, P.S.
Minapur, District Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The District Magistrate, Sheohar.
3. The Superintendent of Police, Sheohar.
4. The Sub Inspector of Police, P.S.- Tariyani, District- Sheohar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate
For the Respondent/s : Mr.Kumar Manish, S.C. 5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-01-2021

Heard the parties.

Petitioner has prayed for the following relief(s): -

“That by this writ application the petitioner seeks indulgence of this Hon’ble Court for issuance of an appropriate writ in the nature of mandamus directing and commanding the respondent authorities to release Tempo bearing Registration No.BR06PD 9698, which has been seized in connection with Tariyani P.S.Case No.33/2020 dated 25.2.20, in favour of the petitioner, from which the respondent authorities have seized 43 bottles Casinos Pride whisky, 155 bottles Emporium Blue Whisky and a mobile of I-Tel Company from the possession of the passenger, namely, Vivek Kumar sitting in the said tempo and for any other relief/reliefs as your Lordships may deem fit and proper.”



Petitioner has approached this Court without availing the statutory remedy of appeal against the impugned order, as such, liberty is granted to petitioner to file an appeal against the confiscation order before the appellate authority and if any appeal is filed within 60 days then appellate authority shall condone the delay in filing the appeal as the matter remained pending before this Court and shall decide the appeal preferably within 60 days from the date of its filing.

With aforesaid liberty, the writ petition is disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Sujeet/chn/-

AFR/NAFR	
CAV DATE	
Uploading Date	13.01.2021
Transmission Date	

