

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1470 of 2021

Prince Kumar Son of Dev Prasad R/o Danapur Gola Road, Gajadhar Chak,
P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Bihar, Patna.
2. The District Magistrate, Patna.
3. Police Inspector cum Officer In-charge of Danapur Police Station, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ghanshyam Tiwary, Adv
For the Respondent/s	:	Mr. Kumar Manish SC-5

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 25-03-2021

Heard learned counsel for the parties.

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

“(i) For that the E-Rickshaw vide Registration No. BR-01PR-5508 the registered owner of the above named petitioner vide Chesis No. M5ECHAMFR19009733, Engine No. 001613 be released in favour of petitioner who is registered owner of the aforesaid E-Rickshaw which has been seized by the respondent No. 3 in Special Case No. 2085/20 (Arising out of Danapur P.S Case No. 165/20, u/s 30[a] Bihar Prohibition and Excise Act, 2018.”

As there is recovery of illicit liquor from the E-Rickshaw, as such same is liable for confiscation, however, petitioner claims to be the owner of the vehicle and same was a passenger vehicle plying from Danapur to Patna and it is alleged



that Driver of E-Rickshaw in connivance with accused were transporting illicit liquor on said vehicle without knowledge or consent of the petitioner.

In the facts and circumstances of the present case, let the seized vehicle, be provisionally released by the District Magistrate, Patna or any other authorized and empowered officer on usual terms and conditions as imposed for release of seized vehicle during pendency of confiscation proceeding.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.03.2021
Transmission Date	NA

