

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4335 of 2021

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Satyapal Kumar Bharti, Son of Dhaneshwar Sharma, Residence of Nayatola,
P.O. Bariyarpur, P.S. Simribakhtiyarpur, District-Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise and Prohibition, Bihar, Patna.
2. District Magistrate cum Collector, Saharsa.
3. Superintendent of Excise, Saharsa.
4. Superintendent of Police at Saharsa.
5. Officer-in-charge Sonbarsa Kachahry, District-Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Respondent/s : Mr. Vikash Kumar, SC 11

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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 : 18-05-2021

Heard the parties.

Petitioner has prayed for following reliefs:-

(I) A direction be issued to the respondent by way of mandamus to release the two wheeler passion Pro bearing its registration no.BR-19K-2802 which was seized in most illegal & unauthorized manner despite having proper & valid documents relating to plying of motorcycle aforesaid &

(ii) Any other relief or reliefs for which the petitioner



be found entitled in law be granted to him.”

It has been submitted on behalf of learned counsel for the State that final order of confiscation has already been passed by the confiscating authority on 6.2.2021, as such, present writ application for interim release of vehicle has become infructuous.

This writ petition is disposed of with liberty to the petitioner to avail the statutory remedy of appeal against the order passed by the confiscating authority and if any such appeal is filed within eight weeks from today, the appellate authority shall condone the delay in filing the appeal and shall decide the appeal on merit preferably within eight weeks thereafter.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.05.2021
Transmission Date	NA

