

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3627 of 2022

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Majibula Ansari @ M. Majibullah Ansari son of Sahev Husen Ansari @
Sahebhusain Ansari, Resident of Village-Shripur, Gopalpur, Police Station-
Sugauli, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Collector, Gopalganj.
3. The Station House Officer of Mahmmadpur Police Station, District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Karandeep Kumar, Advocate Mr. Mahendra Pratap, Advocate
For the Respondent/s	:	Mr. Vivek Prasad (GP-7)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 25-04-2022

Heard learned counsel for the parties.

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

- (i) For commanding the respondent authorities to release the Vehicle Truck (Goods Carrier), bearing Registration No. BR-06GC-8323, Chasis No. MAT 541021H3B05124 & Engine No. B591803271B6



3579409 as well as the goods contained total 374 bags of jute loaded on the body of truck in question which have been seized in connection with Mahmmadpur P.S. Case No. 22 of 2022 registered for the offences punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2018.

- (ii) And for any other relief(s) for which petitioner is found to be entitled in view of the facts and circumstances of the case.

Petitioner is not the owner of the goods for which he is claiming release.

The writ petition is disposed of with liberty to the actual owner of the consignment, whose goods has been seized along with the truck and illicit liquor, to approach the appropriate authority for release of the said goods.

As far as owner of the truck is concerned, the writ petition is disposed of with liberty to approach the Confiscating Authority in view of the amended provision of the Excise Act, by which Section 12A has been inserted in which Confiscation



Proceeding is to be dropped on payment of penalty as notified
by the Government.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	28.04.2022
Transmission Date	

