

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1988 of 2023

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Satish Kumar Singh, Son of Late Ravi Pratap Singh, Resident of Village-
Bhartolia Ward P.S.-Lar, District-Deowaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Officers Incharge, P.S.-Aandar, District-Siwan

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Respondent/s : Mr. Vikash Kumar (SC-11)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 04-04-2023

The petitioner is before us seeking return of the wine
seized by the Police within the State of Bihar.

The contention raised by the petitioner is that he is a
license holder as per Annexure-1 and the aforesaid contraband was
stolen from his Wine Shop, for which an FIR has been registered
which is produced as Annexure-2.

The mere assertion made by the petitioner in the writ
petition is that the seized wine in the custody of Andar Police
Station within the District of Siwan, in connection with Andar P.S.



Case No. 68/2022 dated 02.04.2022, can be identified from the QR code inserted on the wine cart, as that stolen from his shop.

However, there is nothing produced before us to show the purchase having been made of wine with the QR code, which the petitioner asserts is available on the wine cart. In any event, the wine seized being a prohibited commodity within the State of Bihar and there being no provision for release of the contraband to the owner as such and also in the context of the ownership not having been proved before us, nor even a prima facie case put forth, we are of the opinion that the writ petition cannot be entertained.

The writ petition stands dismissed *in limine*.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

sharun/-

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CAV DATE	
Uploading Date	18.04.2023
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