

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 2711 of 2023

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Gurpreet Singh Son of Late Parmjit Singh, Resident of P.S.- Longowal,
District- Sangrur, State- Punjab, (owner of Truck)

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise and Prohibition, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Gaya.
3. The Officer In-charge of Barachatti Police Station, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Dr Ratan Kumar, Advocate
For the Respondent/s : Mr Kumar Manish, SC V

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 11-04-2023 Heard learned counsel for the petitioner and the respondents.

The petitioner's vehicle bearing Registration No PB11AT - 7698, Engine No 11C6310 8830 and Chassis No MAT 466 375B5C06085, which was carrying coal, was seized under Section 30 (a) of the Bihar Prohibition and Excise Act. On inspection, 3.350 liters of liquor was found in the vehicle. The petitioner has prayed for release of the vehicle under Rule 12A of the Bihar Prohibition and Excise Rules, 2021 (for brevity, *the Rules*).



As per the First Information Report registered by the police and as specifically mentioned in the writ petition, the vehicle was laden with coal when it was detained.

The vehicle is now under the custody of respondents and the petitioner seeks its release under Rule 12A of the Rules.

In such circumstances, the District Magistrate-cum-Collector, Gaya shall determine the insured value of the vehicle and release the vehicle along with the coal in favour of the petitioner on his depositing 50% of the insured value as is prescribed under Rule 12A of the Rules within a month of this order.

This writ petition stands disposed of.

(K Vinod Chandran, CJ)

(Madhuresh Prasad, J)

M.E.H./-

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