

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No 3298 of 2023**

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Amitav Kumar Son of Late Jamuna Prasad, Resident of Village- Ward No. 06,  
East Urvashi Cinema, Police Station- Bettaih Town, District- West  
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department Government of Bihar, Patna.
2. The District Magistrate cum Collector, West Champaran at Bettiah.
3. The Superintendent of Police, West Champaran at Bettiah.
4. The Officer In Charge, Bagaha Police Station, District- West Champaran at Bettiah.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr Anant Kumar Mishra, Advocate  
For the Respondent/s : Mr Vivek Prasad, GP VII

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

**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**2      12-04-2023**                      Heard learned counsel for the petitioner and learned  
counsel for the respondents.

The petitioner is concerned with the release of the  
vehicle bearing Registration No. BR22V/8898, Engine No.  
JA05ECH9B21590 and Chassis No. MBLJA05EWH9B27078  
which has been seized along with 40 litres of liquor alleging an  
offence under Section 30 (a) of the Bihar Prohibition and Excise  
Act, 2016. The First Information Report (for brevity, **FIR**) of  
Mufassil Police Station (for brevity, **PS**) Case No 98 of 2021



has been registered.

It is the submission of learned counsel for the petitioner that earlier an FIR being Bagha PS Case No 479 of 2021 was registered alleging theft of the vehicle.

Learned State counsel, on instructions, submits that confiscation proceedings are over and the vehicle has been auctioned.

In such circumstances, we are not inclined to invoke extraordinary remedy of writ jurisdiction under Article 226 of the Constitution of India.

Writ petition is dismissed.

**(K Vinod Chandran, CJ)**

**(Madhuresh Prasad, J)**

**M.E.H, uttam/-**

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