

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 2879 of 2023

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Dharmendra Kumar S/o Late Mishri Lal Sah, Resident of Village- Pratappatti,
P.S.- Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Prohibition and Registration, Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The Superintendent of Police, Muzaffarpur.
5. The S.H.O. Brahampura P.S., Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Sunil Kumar Pandey, 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 motorcycle bearing Registration No BR06BQ – 2611, Engine No JA06ERJG - E59118, Chassis No MBLJAR023JGE48865 has been seized on recovery of 2.160 liters of liquor. The First Information Report was registered on 08.07.2022.

The learned State Counsel submits that the petitioner has not appeared before the Authority till now.



The petitioner's counsel submits that the petitioner is willing to take the vehicle under Rule 12A of the Bihar Prohibition and Excise Rules, 2021.

In such circumstances, on an application being filed by the petitioner before the District Magistrate, Muzaffarpur within two weeks from today, the District Magistrate, within a further period of two weeks, will determine the insured value of the vehicle and intimate the petitioner. The petitioner shall deposit the amount within two weeks from the date of such intimation upon which the vehicle shall be released to the petitioner. If the petitioner does not fulfill the above conditions, the District Magistrate shall proceed with the confiscation proceedings and dispose of the vehicle.

This writ petition stands disposed of.

(K Vinod Chandran, CJ)

(Madhuresh Prasad, J)

M.E.H./-

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