

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.874 of 2020

In

Civil Writ Jurisdiction Case No.14416 of 2019

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Nishu Kumari daughter of Ramji Yadav, wife of Dharmendra Yadav, Resident of Village- Sarkuna, P.O.- Bharatpur, Police Station- Dulhin Bazar, District- Patna, at present resident of Village- Karauna, Police Station- Jehanabad, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise and Prohibition Department, Government of Bihar, Patna
2. The Excise Commissioner, Bihar, Patna
3. The District Magistrate, Patna
4. The Superintendent of Police, Patna
5. The Superintendent of Excise, Patna
6. The S.H.O. Kadirganj Police Station, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr. Kumar Manish, SC-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 02-08-2023 The petitioner seeks a modification to the judgment in so far as the Special Judge, Excise, Patna having sought for an ownership certificate along with the certificate of registration for release of the vehicle.

2. Annexure-1, the judgment, as we see does not say that both the documents should be produced, it only mandates furnishing of the document showing the ownership of the



vehicle and registration certificate of the vehicle. In fact, the indication would be that if a person owning the vehicle owns it on the basis of an agreement and he is not shown in the registration certificate both should be produced. However, if the registration certificate shows the name of the appellant, there was no reason to call for an ownership certificate in addition to the registration certificate.

The learned standing counsel appearing for the respondents submits that the vehicle was never produced before the Special Court and that it was with the Collector. As of now, the Collector has confiscated the vehicle and sold it. Nothing remains to be done in the matter is the submission.

The modification application is dismissed as infructuous.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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