

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8464 of 2023

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Ramayan Singh Son of Late Kamla Singh Resident of Village- Bairia
Thakurai, P.S.- Uchkagaon, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,
Government of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Deputy Superintendent of Police, Gopalganj.
5. The Officer In-charge Kuchaikote Police Station, District- Gopalganj.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 12733 of 2023

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Ram Udgar Chaudhary Son of Musan Chaudhary Resident of Village-
Shahpur, P.S. Pandaul District-Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Principal Secretary Excise Department Government of Bihar, Old
Secretariat Patna.
3. The District Magistrate Madhubani.
4. The Superintendent of Police Madhubani.
5. The S.H.O. Town Police Station, Madhubani.

... .. Respondent/s

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Appearance :

(In Civil Writ Jurisdiction Case No. 8464 of 2023)

For the Petitioner/s	:	Mr. Anirudh Kumar, Advocate
		Mr. Vyas Kumar Mishra, Advocate
For the Respondent/s	:	Mr. Vivek Prasad, GP 7
		Ms. Roona, AC to GP 7
		Ms. Manisha Singh, AC to GP 7
		Ms. Supragya, AC to GP 7

(In Civil Writ Jurisdiction Case No. 12733 of 2023)

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate
		Mr. Ravi Prakash, Advocate
		Mr. Udeshya Kr. Yadav
For the Respondent/s	:	Mr. Kumar Manish (Sc 5)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

5 13-10-2023

CWJC No. 8464 of 2023

Petitioner's subject matter of motor vehicle was seized in connection with offences under Bihar Prohibition and Excise Act, 2016 on 08.08.2019. After various proceedings, it was found that there were no recovery, in the result vehicle is stated to have been released on 04.10.2023.

2. It is a fit case for imposition of cost/damages on the official respondents in seizing the subject matter of vehicle and keep it in their custody for four years. It is to be noted that seized vehicle was lying in open space and it was exposed to all kind of weather and its depreciation of value has come down for these many years and it was for no default on the part of the petitioner. Cost has been quantified @ Rs. 1,00,000/- (Rupees One Lakh). Cost shall be paid to the petitioner within a period of eight weeks from the date of receipt of copy of this order.

3. Accordingly, the writ petition *namely* CWJC No. 8464 of 2023 stands disposed of in terms of above noted order.

CWJC No. 12733 of 2023

4. Concerned official respondent is hereby directed to file counter affidavit before the next date of hearing. Relist this



matter 10.11.2023.

5. Registry is hereby directed to de-link CWJC No.
12733 of 2022 from CWJC No. 8464 of 2023.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

GAURAV S./-

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