

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9130 of 2023

Abhishek Ranjan @ Abhishek Son of Sudhir Kumar Singh, Residence of
Village- Repura Rampur, P.S.- Saraiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Addl. Chief Secretary, Bihar Prohibition of Excise Department, Bihar, Patna.
2. The Commissioner, Bihar Prohibition of Excise Department, Bihar, Patna.
3. The Distt. Magistrate-Cum-the Collector, Muzaffarpur.
4. The Excise Superintendent of Police, Excise Department, Muzaffarpur.
5. The Sub-inspector, Saraiya, Distt-, Muzaffarpur.
6. The officer-in Charge, Saraiya, Distt-, Muzaffarpur.
7. The Sub- inspector, O.P. Deputy-incharge, Jaitpur, P.S.- Saraiya, Distt- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar
For the Respondent/s : Mr. Kumar Manish (Sc5)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

2 20-07-2023 1. Instant petition has been filed for following reliefs:

“i For issuance of writ in nature of mandamus for directing and commanding the respondents authority for releasing the seized Maruti Dzire Car with Registration No. BR-06CE-2667, seized in connection with Saraiya P. S. Case No. 484 of 2022 for an offence U/s 272, 273 and 34 and read with 30(a) of the Bihar Prohibition and Excise Act to the petitioner being its rightful owner. Whereby and where under the



petitioner / petitioner has no concern with Foreign Wine illegally recovered 190.08 Litres.

ii. Any other Relief / reliefs your honour for which the Petitioner is found to be entitled in the eye of law.”

2. During pendency of the confiscation proceeding, the petitioner has approached this Court seeking release of vehicle in question.

3. The concerned authority—Collector is hereby directed to examine the grievance of the petitioner whether he is entitled for release of the vehicle in question or not in the light of Rule 12(A) of the Bihar Prohibition and Excise Rules, 2021 as amended from time to time till date, including the Bihar Prohibition and Excise (Amendment) Rules, 2023, dated 31st of May, 2023.

The writ petition stands disposed of accordingly.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

skm/-

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