

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13470 of 2023

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Jhumpa Dhibar Wife of Sadhan Dhibar and daughter of Durga Pada Dhibar,
Resident of Village- Fatepur, G.T. Road Sitarampur, P.S. - Asansol, District -
Paschimi Vardhman, West Bengal.

... .. Petitioner.

Versus

1. The State of Bihar through Principal Secretary Prohibition and Excise
Department, Government of Bihar, Patna.
2. Excise Commissioner, Prohibition and Excise Department, New
Secretariate, Patna, Bihar.
3. The District Magistrate cum Collector, Banka.
4. The Excise Superintendent Banka, Dist. - Banka.
5. The Superintendent of Police, Banka, Dist. - Banka.
6. The Assistant Sub Inspector, Prohibition and Excise Department, Sadar cum
Katoria Anchal, Dist. - Banka.

... .. Respondents.

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Appearance :

For the Petitioner : Mr. Naresh Chandra Verma, Advocate.
For the State : Mr. Kumar Manish (SC-5)

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

Date : 27-09-2023

In the instant writ petition, the petitioner has prayed
for the following reliefs:

*“For release of Bolero Pickup Van bearing
Registration No.WB37D6416, Chachis
No.MA1ZN2TBKJ1H67752 with Engine
No.TBJIH73917, which was seized by the
Assistant Sub Inspector, Prohibition and*



*Excise Sadar cum Katoria Anchal Banka
in Excise Case No.139 of 2019 pending in
the court of Additional District Judge
cum Special Judge Excise Act, Banka.*

2. The petitioner is not entitled to aforementioned relief for the reasons that the confiscation proceeding has attained finality. Thereafter, the auction proceeding was concluded in the year 2022 itself as is evident from the instructions furnished by the learned counsel for the State.

3. Accordingly, the present writ petition stands disposed of as not maintainable reserving liberty to the petitioner to resort appropriate remedy pursuant to the confiscation proceeding read with auction proceeding.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

manish/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.10.2023
Transmission Date	NA

