

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15340 of 2022

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Ajay Kumar, Son of Late Narayan Ram, R/o Village- Udaipur, P.S.- Paliganj,
District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Prohibition Excise and Registration Department, Government of Bihar.
2. The Excise Commissioner, Prohibition Excise and Registration Department, Government of Bihar.
3. The District Magistrate, Nalanda.
4. The Superintendent of Police, Nalanda.
5. The Officer in charge, Police Station- Hilsa, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Advocate
For the Respondent/s : Mr. Vikash Kumar, SC-11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 12-05-2023

The petitioner is aggrieved with the confiscation proceedings against the vehicle (Pick-up Tata 207 DI), bearing registration no. BR-01GA-8180, which, he alleges, was stolen before the seizure. An Informatory Application was filed on 02.06.2021, alleging theft of the vehicle on 31.05.2021. The same is produced as Annexure-3 to the writ petition. It was subsequent to the theft of the vehicle and the information supplied to the police that it was intercepted by the police and on 07.07.2021 the F.I.R. was registered being Hilsa P.S. Case No. 318 of 2021, u/s



30(a) of the Bihar Prohibition and Excise Act, 2018. A quantity of 801 litres of IMFL was also recovered from the pick-up van.

The petitioner submits that he has no information regarding the confiscation case or the further proceedings.

The State has filed a counter affidavit in which it has been clearly stated that the confiscation case was initiated on 21.07.2021, since the owner of the vehicle could not be traced, an advertisement was given in the vernacular newspaper on 01.01.2022 and vehicle was confiscated on 15.01.2022. After the confiscation, again an advertisement was given in the vernacular newspaper about the auction sale of the vehicle on 04.02.2022. The vehicle was auctioned and sold on 15.06.2022.

In such circumstances, we find that there were notices issued by way of publication in the newspaper and there is nothing to be done after the sale of the vehicle as such.

Writ petition would stand dismissed.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

aditya/sujit

AFR/NAFR	NAFR
CAV DATE	
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