

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16212 of 2022

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Sanjay Kumar, Son of Diwali Lal, resident of Mohalla- Gurhatta, Police Station- Khajekalan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department, Government of Bihar.
2. The Collector, Patna.
3. The Commissioner Excise, Patna Commissioner, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Superintendent of Police Town, Patna.
6. The S.D.P.O., Patna Sadar, Patna.
7. The Police Inspector-cum-S.H.O. of Patrakarnagar Police Station, Patna.
8. The Investigating Officer of Special Case No. 1654/2022 (Excise), Arising out of Patrakarnagar P.S.- Case No.- 142/2022.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Krishna Jha, Advocate
For the Respondent/s	:	Mr. Vivek Prasad, GP-7
		Ms. Roona, AC to GP-7

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

8 27-03-2023 The petitioner's pick-up van was seized by the police on the allegation that one McDowell bottle of 375 ml and one Imperial Blue foreign liquor of 375 ml was recovered during the search on 20.03.2022 at 3:30 A.M.. It is undisputed that the confiscation proceeding was not initiated till the date of the filing of the present writ application on 22.11.2022.

The petitioner has filed the present writ application



seeking a direction to the respondents to release the said vehicle bearing Registration No. BR01GH 2470 seized in connection with Special Case No. 1654 of 2022(Excise), arising out of Patrakarnagar P.S. Case No. 142 of 2022 for the offences punishable under Sections 30(a)(b)(c)(d), 32(1)(2), 33, 34(b)(iv), 36, 41(i)(ii), 47 and 56 of the Bihar Prohibition and Excise Act, 2018.

Today, learned GP-7 has produced before us an order dated 27.03.2023 passed in Confiscation Case No. 327 of 2022-23 by the Deputy Secretary, Prohibition, Excise and Registration Department, Government of Bihar, who is said to be the Collector within the meaning of Section 2(15) of the Act whereby the petitioner's vehicle has been directed to be released subject to certain conditions as mentioned therein.

In view of the said order dated 27.03.2023, this application stands disposed of.

(Chakradhari Sharan Singh, ACJ)

(Madhuresh Prasad, J)

Rajesh/-

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