

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17376 of 2022

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Ramchandra Uraon son of Nagina Uraon, resident of village- Siswadih,
Police Station- Dumari (Gobardhana), District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Excise, Govt. of Bihar, Patna.
2. The Commissioner, Excise, Bihar, Patna.
3. The Collector, West Champaran at Bettiah.
4. The Superintendent of Excise, West Champaran.
5. The Officer-in-charge, Police Station- Dumari (Gobardhana), District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate
For the Respondent/s : Mr.Vivek Prasad (GP7)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 02-02-2023

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

“For issuance of an appropriate writ/writs, directing/commanding the respondent authorities to release the vehicle in question which is Blue Black Colour Glamour Motorcycle bearing registration No.BR22AA-1840, Chassis No.MBLJAR 024 HGC 39659, Engine No.JA06ERHGC-44526 in favour of the petitioner who is the bonafide purchaser of the said vehicle that has been seized in Bagaha (Pathkauli) P.S. Case No.316 of 2021 dated 23.06.2021 under Section 30(a) of the Bihar Prohibition of Excise Amendment Act, 2018.”

It is not in dispute that the vehicle stands released in favour of the registered owner and, as such, cannot be handed over to the auction purchaser.



In this view of the matter, the petitioner’s prayer cannot be allowed.

Petition is permitted to be withdrawn reserving liberty to the petitioner to take recourse to the remedies for refund of the amount.

The petition stands disposed of as withdrawn with the liberty aforesaid.

Interlocutory application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Sanjay/-Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.02.2023
Transmission Date	NA

