

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17909 of 2022

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Kogta Financial (India) Ltd. a registered company under The Companies Act, 1956 having its office at S-1 Gopalbari, Near Ajmer Pulia, Opp. Metro Pillar No. 143, Jaipur, Rajasthan- 302001, India through its Authorised Representative Shakti Singh Shekhawat, Male, Aged about 45 years, Son of Jagdish Singh Sekhawat, Resident of 5, Minakshi Puram, Gokulpura, Jhotwara, District- Jaipur, State- Rajasthan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Patna.
2. The Principal Secretary, Department of Excise, New Secretariat, Patna.
3. The Collector-Cum-District Magistrate, Vaishali, Hazipur.
4. The Superintendent of Police, Vaishali, Hazipur.
5. The Station House Officer, Sadar Police Station, Vaishali, Hazipur.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 13-04-2023 Heard learned counsel for the petitioner and learned
counsel for the respondents.

The financier is before this Court seeking release of vehicle bearing Registration No. RJ-06GB-1266, Engine No. B591803111M84034604 and Chassis No. MAT448050C7A00128 which has been seized under Section 30(a) of Bihar Prohibition and Excise Act, 2016. The FIR being Sadar P.S. Case No. 225 of 2022 was registered on 27.03.2022.



The learned counsel for the State submits that a confiscation proceeding being C.C. No. 17 of 2022 has been initiated.

The financier submits that there was default committed by the hire purchaser.

However, we notice that the hire purchaser has not been impleaded in this writ petition.

In such circumstances, we dismiss the writ petition giving liberty to the petitioner to move before the appropriate authority with notice to the owner/hire-purchaser of the vehicle.

Writ petition is disposed of.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

M.E.H, uttam/-

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