

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7803 of 2024

Abhishek Kumar Son of Sanjay Singh, Resident of Indruk, P.O.- Halimpur,
P.S.- Naya Ramnagar, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration Excise and Prohibition, Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate-cum-Collector, Lakhisarai.
4. The Superintendent of Police, Lakhisarai.
5. The Senior Deputy Collector I/C District Legal Section, Lakhisarai.
6. The S.H.O. Surajgarha Police Station, Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate
For the Respondent/s : Mr. Government Pleader 02

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

3 03-07-2024 Pursuant to our earlier order dated 08.05.2024 counter affidavit has been filed on behalf of the respondent Nos. 3 and 5 along with documents. They have not disputed that petitioner is not involved in the offence for Excise Act. In such an event, there is no presumption and assumption to the extent that petitioner was involved in the offence under the Excise Act. In the light of the fact that FIR was registered for theft of the vehicle before FIR was registered for the offence under the Excise Act, the concerned authority is hereby directed to release



the subject matter of vehicle within a period of one week from today. Such release of vehicle is subject to participation of the petitioner in the confiscation proceedings.

2. The concerned authority is hereby directed to conclude the confiscation proceedings within the time limit stipulated in the statutory provisions under Bihar Prohibition and Excise Act, 2016.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

GAURAV S./-

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