

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8382 of 2024

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Ashraf Ali @ Ashraf Ali Mansuri, Son of Idris Mansuri, resident of village-
Barkurwa, Ward No. 13, P.S.- Paharpur, District- East Champaran.

... .. Petitioner.

Versus

1. The State of Bihar through its Principal Secretary, Department of Registration, Excise and Prohibition, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Station House Officer, Gopalganj Town, Police Station District- Gopalganj.

... .. Respondents.

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Appearance :

For the Petitioner	:	Mr. Manish Kumar Singh, Advocate.
For the State	:	Mr. Government Pleader (6).

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

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

7 05-08-2024 Pursuant to our previous orders dated 01.07.2024 and 20.07.2024, Mr. Prashant Kumar, SHO, who was the then working at Gopalganj Town P.S. is present in the Court. Unnecessarily, he had seized the subject matter of vehicle bearing Registration No.BR05GC0489 and put hardship to the petitioner for about almost 8 to 9 months in the absence of any seizure of liquor material from his vehicle which is nothing but highhandedness of the police. Citizen cannot be driven for each and every grievance to the court of law, despite certain illegalities have been committed by the police officials for causing undue hardship and inconvenience to the petitioner. Mr. Prashant Kumar, who is present in the Court, we had given two



options, directing the superior authorities to initiate departmental inquiry for the alleged misdeeds committed by him insofar as illegally seizing of the subject matter of vehicle and causing inconvenience to the petitioner for about 8 to 9 months insofar as the seizure of the vehicle or in the alternative, cost of the litigation and it shall be paid from his pocket. He has agreed to pay cost. Cost has been quantified at Rs.25000/- (Rupees Twenty Five Thousand). Cost shall be paid to the petitioner within a period of eight weeks from the date of receipt of this order, failing which petitioner is permitted to file Interlocutory Application to revive this order so as to direct the concerned department authority /disciplinary authority to initiate departmental inquiry against Mr. Prashant Kumar, who is present in the Court, for his alleged misdeed of illegally seized the subject matter of vehicle for about 8 to 9 months.

2. Grievance of the petitioner is redressed during pendency of this C.W.J.C., the same is taken on record for disposal.

3. With the aforesaid observations, this writ petition stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

P.S./-

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