

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10677 of 2024

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Gautam Kumar @ Babloo Kumar @ Bablu Kumar son of Late Munna Yadav, resident of Mohalla-New Godown, Jhilganj, P.S.-Kotwali, District-Gaya, at present residing at Mohalla-Sahi Masjid Road, Nadraganj, Pulpar, P.S.-Civil Line, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. The Principal Secretary, Department of Excise, Bihar, Patna.
3. The District Magistrate, Aurangabad.
4. The Superintendent of Police, of Aurangabad.
5. The Officer In charge, Amba Police Station Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Priya Ranjan
For the Respondent/s : Mr.Standing Counsel 18

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY

ORAL ORDER

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

2 22-07-2024 In the instant petition, petitioner has prayed for following relief/reliefs:

That this is an application for issuance of an appropriate writ/writs, order/ orders, direction/ directions directing the respondent authorities to release the vehicle namely Tata Safari of the petitioner bearing Registration No. BR02W-8989 which has been seized for offence registered under Amba Police



*Station bearing Amba P.S. Case No. 132
of 2023 for offence under Section 30(a) of
Bihar Prohibition and Excise Act, 2018.*

2. It is undisputed that no liquor has been recovered from the petitioner's vehicle as it is evident from the seizure list dated 09.06.2023 and it is not disputed by the learned counsel for the State. In the light of these facts and circumstance, the concerned authority is hereby directed to release the subject matter of vehicle within a period of one week from today. Such release would be subject to production of authenticated documents relating to the subject matter of vehicle.

3. Having regard to the fact that respondents have illegally seized the subject matter of vehicle and kept with them for more than one year, they are liable to pay cost of Rs. 50,000/- (Rupees Fifty Thousand) and the cost shall be paid to the petitioner within a period of one week from the date of receipt of this order.

(P. B. Bajanthri, J)

(G. Anupama Chakravarthy, J)

Manish/Gaurav/

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