

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17480 of 2024

Hare Krishna Yadav, S/o Late Saryug Yadav, Resident of village-Madhopur,
P.O. Chainwa, P.S.-Rasulpur, District-Saran at Chapra.

... .. Petitioner.

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Excise, Govt. of Bihar, Patna.
3. The District Magistrate- cum- Collector, East Champaran, Motihari.
4. The Superintendent of Police, East Champaran, Motihari.
5. The District Magistrate- cum- Collector, Saran at Chhapra.
6. The Superintendent of Police, Saran at Chhapra.
7. The District Transport Officer, Saran at Chhapra.
8. Chunnu Kumar, Son of Nand Kishore Ray, Resident of Village-Amar Chhatauni, Police Station-Chhatauni, District-East Champaran.

... .. Respondents.

Appearance :

For the Petitioner	:	Mr. Dhananjay Mishra, Advocate.
For the State	:	Mr. Kumar Alok, SC-7.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 28-11-2024

In the instant writ petition, the petitioner has prayed
for the following relief(s):

“(I). To release the vehicle (Truck) vide
Registration No.UP-65BT-8611, Engine No.21G-
84063295, Chassis No.MAT448035C5G12097 in
favour of petitioner in the light of the order passed
by the Court of Learned C.J.M. East Champaran at
Motihari on 27.04.2024 on the petition of



petitioner in Chhatauni P.S. Case No.428 of 2023.

(II). Any other relief/reliefs for which the petitioner is entitled for.”

2. Writ Court cannot issue any direction or set aside the judicial order passed by the Chief Judicial Magistrate, East Champaran at Motihari. The petitioner has other remedy and he has to avail the same in the light of the fact that the offence is for the theft of the vehicle.

3. No doubt, earlier the vehicle was involved in excise offence and in excise offence case, the vehicle was not seized. Therefore, with reference to theft of the vehicle case has no connection with the excise offence case in the year 2019.

4. Accordingly, the instant writ petition stands dismissed reserving liberty to the petitioner to invoke appropriate remedy and in accordance with law.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.11.2024.
Transmission Date	NA

