

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18264 of 2024

=====

Vishal Kumar Yadav son of Munna Yadav, resident of Village-Sitab Diara,
Gariba Tola, P.S.-Rivilganj, District-Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate cum Collector, Saran at Chapra.
3. The Assistant Excise Commissioner, Saran at Chapra.
4. The Superintendent of Excise, Saran at Chapra.
5. The Vehicle Inspector, Saran at Chapra.
6. The Superintendent of Police, Saran at Chhapra.
7. The Sub- Inspector of Police, Rivilganj Police Station, Saran at Chhapra.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Respondent/s : Mr.Government Pleader (16)

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

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

3 10-12-2024 On 04.12.2024, we have passed the following order:-

“Learned counsel for the petitioner is hereby directed to implead the Superintendent of Police, Saran at Chapra and so also the concerned Sub-Inspector of Police as respondent no. 6 and 7 during the course of the day.

2. The State counsel is requested to secure instruction from respondent no. 6 and 7 to the extent whether is there any recovery of liquor from the petitioner’s vehicle in view of the fact that there is no iota of



material in seizure memo to the extent of recovery of any liquor from the petitioner's vehicle. In this regard, necessary affidavit shall be filed by the Superintendent of Police before the next date of hearing.

3. Re-list this matter on 10.12.2024."

2. The concerned authority had given instruction to the learned counsel for the respondent to the extent that the petitioner's vehicle was towing with the another vehicle. However, another vehicle was carrying liquor, whereas the petitioner's vehicle was not carrying any liquor.

3. In such circumstances, the concerned authority is hereby directed to release the subject matter vehicle forthwith in favour of the petitioner. The petitioner shall be permitted to participate in confiscation proceedings without fail.

4. With the aforesaid directions, the present CWJC No. 18264 of 2024 stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

Ankit Kumar/-

U			
---	--	--	--

