

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4912 of 2025

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Sanskriti Daughter of Laddoo Narayan Singh, Resident of Naya Tola,
Lohiyapur, Ward No.-07/16 near R.M.K School, Thana- Banka, District-
Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Vaishali.
3. The Supertendent of Police, Vaishali at Hajipur.
4. The Station House Officer, Hajipur Town Thana, Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Kaushal Kishor, Advocate Ms. Jyoti Kumari, Advocate
For the Respondent/s	:	Mr.Additional Advocate General (4)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 17-04-2025

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

“I. For direction to respondent to release of
white colour I-20 vehicle bearing Registration No.
BR01HE/5149, Chasis No. MALBH512LPM231263
seized in connection with Town P.S. Case No.



76/2025 registered for the offence 281, 324(4) of BNS and 37 of Bihar Prohibition and Excise Act.

II. For any other relief/s for which the petitioner is found entitle in the fact and circumstances of the case and/or the sake of justice.”

2. From perusal of the seizure memo, it is evident that the petitioner’s husband who was driving the subject matter vehicle was alleged to be under intoxication, in such circumstance, it is not warranted for seizure of the vehicle. No doubt, seizure of the vehicle would be available under the Motor Vehicle Act. In this regard, he should have been penalized for the offences under Motor Vehicle Act.

3. In the light of these facts and circumstances, the respondents are hereby directed to release the subject matter vehicle in favour of the petitioner. Instead of taking action under Motor Vehicle Act against the husband of the petitioner and the fact that the petitioner is the owner of the vehicle and in order to give quietus to the litigation husband of the petitioner-Uday Kumar was penalized by imposing penalty of Rs. 12,000/-. The concerned authority is hereby directed to release the subject matter vehicle in favour of petitioner within a period of three days from the date of receipt/production of a copy of this order.

4. Subject to the aforesaid observation and direction, the



writ petition stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.04.2025
Transmission Date	NA

