

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9883 of 2025

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Viki Kumar S/o Jitendra Thakur, Resident of Village- Dulaur, P.S.- Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Bihar Prohibition and Excise Department, Bihar, Patna.
2. The District Magistrate, Buxar.
3. The Superintendent of Excise, Buxar.
4. The Superintendent of Police, Buxar.
5. The Sub Divisional Magistrate, Buxar, Sadar, Buxar.
6. The Officer in Charge, Buxar (I) Police Station, District- Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anand Kumar Ojha 1, Advocate
For the State	:	Mr. Kinkar Kumar, SC-09
		Mr. Yogesh Kumar, AC to SC-09

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

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

5 27-08-2025 On 01.07.2025, co-ordinate Bench passed the following order:-

“ Petitioner has sought for release of vehicle bearing Reg. No. BR-26H-6969 on account of the fact that for theft of the vehicle, he had registered FIR for the offences u/s 379 of IPC on 11.10.2023 in Jagdishpur P.S. Case No. 427 of 2023. Thereafter, theft vehicle was subject matter of offences under the Excise Act and FIR was registered under on 09.02.2024 in Buxar Industrial P.S. Case No. 26 of 2024. In the light of these facts and circumstances, prima-facie, petitioner is entitled to release of the subject matter of vehicle in his favour.

2. In this regard, Superintendent of Police,



Buxar is hereby directed to file affidavit whether the aforementioned factual aspects are in order or not to the extent that petitioner is not involved for the offences under the Excise Act registered on 09.02.2024. Further, what is the stage of FIR registered for theft of the vehicle on 11.10.2023 shall be ascertained and apprised.

3. Re-list this matter on 15.07.2025.

4. Copy of this order shall be made available to learned Counsel for the State - Mr. Kinkar Kumar (SC 9).

5. Respondents are hereby directed to not to precipitate the matter, pursuant to the confiscation proceedings dated 30.09.2024, if the vehicle is not already auctioned as on this date.”

2. Today learned counsel for the respective parties on instructions submitted that subject matter of vehicle has been released, therefore, petition do not survive for consideration.

3. Accordingly, CWJC No. 9883 of 2025 stands disposed of.

(P. B. Bajanthri, J)

(Shailendra Singh, J)

Maynaz/Rajiv-

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