

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1670 of 2025

Arising Out of PS. Case No.-428 Year-2023 Thana- CHHATAUNI District- East Champaran

Chunnu Kumar Nand Kishor Ray Resident of Ward No. 6, Amar Chhatauni,
P.O.-Rupdih, P.S.- Chhatauni, District- East Champaran at Motihari

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna
Patna
2. The Principal Seceretary, Home Department, Government of Bihar, Patna
Patna
3. The Principal Secretary, Prohibition Excise and Registration Department,
Government of Bihar, Patna
4. The Director General of Police, Bihar, Patna
5. The Collector, East Champaran at Motihari
6. The Superintendent of Police, East Champaran at Motihari
7. The District Transport Officer, East Champaran at Motihari
8. The District Transport Officer, saran at Chhapra
9. The Superintendent, Exise Department, East Champaran at Motihari
10. The Additional Collector, East Champaran at Motihari
11. Hare Krishna Yadav S/o Late Saryug Yadav Resident of Village-Madhopur,
P.O.-Chainwa, P.S.- Rasulpur, District- Saran at Chhapra

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Advocate
For the State : Mr.G.P.20

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-07-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner has moved the Court for the



following relies:

“(i) For directing the respondent authorities to release the vehicle (Truck) bearing Registration No. UP-65BT-8611 in favour of the petitioner which has been seized in a case bearing Chhatauni P.S. Case No. 428 of 2023 lodged by the petitioner in regard to stolen of his said vehicle (Truck) which has been recovered in course of investigation in connection with the present FIR by the police.

(ii) Also, for quashing the order dated 25.04.2025 passed in Chhatauni P.S. Case No. 428 of 2023 by the learned Chief Judicial Magistrate, East Champaran at Motihari whereby and whereunder the Truck bearing Registration No. UP-65BT-8611 is hereby order to be released in favour of the private respondent No. 10.

(iii) Also, for directing and commanding the respondent authorities to make payment of auction amount of Rs. 4,44,000/- (Four lac forty four thousands) with statutory interest from the date of auction purchase i.e. on 29.05.2023 which has been paid by the petitioner at the time of purchase of the Truck bearing Registration No. UP65-BT-8611 through auction sale made by the office of the Superintendent, Excise Department, East Champaran, Motihari vide Memo No. 9139/Excise dated 29.05.2023 which was seized in connection with Rajepur P.S. Case No. 57 of 2019.”

3. This application is disposed of with liberty to the petitioner to approach the Superintendent, Excise Department, Motihari for refund of the auction amount as the vehicle has been released to the original owner.

4. If such an application is filed, the same shall be



disposed of by the Superintendent, Excise Department, Motihari
within two weeks of its filing.

(Sandeep Kumar, J)

P. Kumar

U		T	
---	--	---	--

