

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11417 of 2025

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Nitesh Kumar, Son of Shambhu Prasad, Resident of Village and P.O.-
Nawada, Police Station- Govindganj, District- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Excise,
Government of Bihar at Patna.
2. The District Magistrate, East Champaran, Bihar.
3. The Superintendent of Police, East Champaran, Bihar.
4. The S.H.O, Govindganj Police Station, Govindganj, East Champaran.
5. The Investigating Officer of Govindganj P.S. Case No.- 230 of 2024
Govindganj Police Station, East Champaran.
6. The S.H.O, Sangrampur Police Station, East Champaran.
7. The Investigating Officer of Sangrampur P.S. Case No.- 266 of 2024,
Sangrampur, East Champaran.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Advocate
For the Respondent/s : None

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

Date : 21-08-2025

None appears for the Respondents.

2. On 07.08.2025, we have passed the following
orders:

*“The Superintendent of Police, East
Champaran, is hereby directed to examine
whether the petitioner’s vehicle has been
seized on 22.10.2024, for the offences under
the Excise act read with the fact that*



petitioner's vehicle was involved for the offences under Section 379 of IPC or Section 303(2) of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Section 30(a) of the Bihar Prohibition and Excise Act, 2023 dated 08.06.2024. If the registration of FIR on 08.06.2024 for theft of the vehicle is genuine, in that event, he is hereby directed to release the vehicle within a period of one week. If the registration of FIR for theft of the vehicle on 08.06.2024 is not genuine, in that event, he is hereby directed to file his personal affidavit within period of two weeks.

*2. Re-list this matter on **21.08.2025**.*

3. A copy of this order shall be made available to the State counsel."

2. Today, learned counsel for the petitioner, through V.C, on instruction submitted that on 19.08.2025 subject matter of vehicle has been released in favour of the petitioner. Therefore, we have to draw inference that there is no involvement of vehicle of the petitioner insofar as committing any offences under the Excise Act registered on 08.06.2024. Therefore, the petitioner has been unnecessarily harassed in not releasing his vehicle despite the fact that earlier the subject matter of vehicle was involved for the offences for theft.

3. Taking note of these facts and circumstances,



Respondents are hereby directed to pay litigation cost and it is quantified at Rs.5000/- (Rs. Five thousand). Cost shall be paid to the petitioner within a period of two weeks from today.

With the above observation, C.W.J.C. No. 11417 of 2025 stands disposed of.

(P. B. Bajanthri, J)

(Shailendra Singh, J)

manish/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.08.2025
Transmission Date	NA

