

Heard learned counsel for the petitioner and learned counsel for the State.

As per instruction obtained by the learned counsel for the State no confiscation proceeding has been initiated in relation to the Scooty of the present petitioner seized in 2(a)C .C. Case No.104 of 2016 on the file of learned J.M.F.C., Soro.

It is alleged that the excise officials found the Scooty carrying 60 litres of I.D. liquor and the said vehicle was seized.

It is submitted that the accused took the Scooty of the present petitioner for the purpose of bringing medicine and hence, she did not have any knowledge about carrying any liquor in the said vehicle, but her application has been rejected by the learned trial court without assigning any reason. It is also submitted that the petitioner has not been arrayed as an accused in this case and the said vehicle is lying exposed to sun and rain after being seized for about last six months.

Considering the submissions, it is directed that the learned trial court would do well to release the vehicle in zima of the present petitioner as per rules with such conditions as deemed proper subject to confirmation that the petitioner has not been arrayed as an accused in the case.

The Misc. Case is disposed of accordingly.

J.P.Das, J.