

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19885 of 2018

In
Criminal Writ Jurisdiction Case No.193 of 2018

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Sunil Kumar @ Ramesh Kumar, Son of Arvind Prasad, Resident of village-
Rupaspur, P.S. - Khudaganj, District-Nalanda

... .. Petitioner

Versus

- 1.The State of Bihar through Principal Secretary, Excise Department,
Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Nalanda at Biharsharif.
3. The Superintendent of Police, Nalanda at Biharsharif.
4. The District Supply officer, Nalanda at Biharsharif.
5. The S.H.O. Islampur, District- Nalanda.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Ganesh Sharma, Adv.
For the Respondent/s : Mr. Pawan Kumar, AC to GA 1

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

4 27-11-2018 By order dated 17.02.2018 Cr. WJC No. 193/2018

was permitted to be converted in a civil writ giving rise to the
present proceeding and as a consequence of the order so passed,
Cr. WJC No. 193/2018 shall stand disposed of.

Despite permission granted on conversion of the
criminal writ petition giving rise to the present proceeding, for
questioning the vires of the Bihar Prohibition & Excise Act,
2016 (hereinafter referred to as 'the Act'), no application is filed
seeking amendment in the writ petition. Apart therefrom, we are
also of the opinion that the complete frame of the present
application would have to undergo a change, in case such an



attempt is made by the petitioner.

In the circumstances noted, we are persuaded to dispose of the writ petition giving liberty to the petitioner to file an appropriate application to question vires of the Act in question, if so advised.

The writ petition is accordingly disposed of.

(Jyoti Saran, J)

(Rajeev Ranjan Prasad, J)

Surendra/
Archana

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