

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.319 of 2018**

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1. Raju Sah, S/o Siv Snakar Sah, resident of Village- Mane, P.S.- Ekma,  
District- Saran.

.... .... Petitioner/s

Versus

1. The State of Bihar Through The Principal Secretary, Registration Excise & Prohibition Department, Govt. of Bihar, Patna.
2. The District Magistrate-cum- Collector, Saran, District- Saran (Bihar).
3. The Assistant Excise Commissioner, Saran, District- Saran (Bihar).
4. The Superintendent of Excise, Saran, District- Saran (Bihar).
5. The Superintendent of Police, Saran, District- Saran (Bihar).
6. The Vehicle Inspector, Saran, District- Saran (Bihar).

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Respondent/s : Mr. Vivek Prasad (Gp 7)

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

**3. 20-04-2018**

At the outset, learned counsel for the petitioner seeks permission to convert this criminal writ application in a civil writ application as he wants to challenge the *virus* of the provisions of the Bihar Prohibition and Excise Act, 2016. According to learned counsel, the confiscation order has been passed by the District Magistrate, who is an Executive.

Petitioner is permitted to do so within a period of two weeks, failing which this application shall stand rejected without further reference to a Bench.

Office to report accordingly.

**(Rajeev Ranjan Prasad, J.)**

Rajeev/-

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