

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2785 of 2017

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Punam Kumari

.... Petitioner

Versus

The State of Bihar Through Principal Secretary, Excise Department, New
Secretary, Excise Department, New Secretariat, Patna & Ors

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Anang Mohan Sinha

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3. 09-03-2018

Learned counsel for the petitioner submits that he has challenged the order of confiscation dated 23.12.2016 passed in Excise Case No. 281/2016 mainly on the ground that the District Magistrate-cum-Collector, Patna being an executive cannot have power to confiscate the property in question. He informed that such a challenge is based on a challenge to the Bihar Prohibition and Excise Act, 2016, and therefore, he would like to convert this writ application in a civil writ application. Learned counsel for the State has no objection to the petitioner availing his remedy in accordance with law.

Permission is granted.

Office shall report on the requirement for that purpose.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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