

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.175 of 2019

Arising Out of PS. Case No.-120 Year-2017 Thana- HASANPUR District- Samastipur

Mithun Kumar @ Mithun Kumar Sahani @ Mithun Kumar Sahni, son of Suri Ramji Sahni, Resident of Village- Baraipur, P.S.- Khodwandpur, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Government of Bihar, Patna
2. The Excise Commissioner, Government of Bihar, Patna
3. The District Magistrate, Samastipur, Bihar
4. The Senior Superintendent of Police, Samastipur, District-Samastipur
5. The Excise Superintendent, Samastipur, Bihar
6. The Station House Officer, Warisnagar Police Station, District - Samastipur Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Respondent/s : Mr. Kumar Manish, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 29-01-2019 After some arguments, in view of availability of an equally efficacious statutory remedy before the Excise Commissioner against the impugned order dated 24.07.2018 passed in Confiscation Case No.20 of 2018 by the Collector, Samastipur, learned counsel for the petitioner sought leave to withdraw the writ petition with liberty to approach the appellate authority.

Leave is granted.

The writ petition is disposed of.

In case, an appeal is filed within three weeks from today, the learned Excise Commissioner shall be required to



hear the same on merit instead of dismissing it on the ground of
delay.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--

