

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.290 of 2019

Arising Out of PS. Case No.-151 Year-2017 Thana- DHAMDAHA District- Purnia

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Md. Tarique @ Md. Tarique Alam son of Shamim Ahmad, Resident of
Village -Dhokwa, P.S.- Dhamdaha, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Excise and Prohibition, Govt. of Bihar, Patna
2. The District Magistrate, Purnea.
3. The Superintendent of Police , Purnea.
4. The S.H.O. Dhamdaha Police Station , District- Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Hussain, Advocate
For the Respondent/s : Mr.Madan Mohan, AC to SC-5

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 04-02-2019

In the instant writ petition, the petitioner has challenged the order dated 02.02.2018 passed by the Collector, Purnea in Excise Case No. 289 of 2017 by which he has ordered to confiscate the Alto Car No. BR11AA-6129 belonging to the petitioner.

2. Sub-Section (2) of the Section 92 of the Bihar Prohibition and Excise Act, 2016 provides that all final orders passed by the Collector and Excise Commissioner shall be appealable to the Excise Commissioner and the State Government respectively within ninety days from the date of the order complained of.



3. In view of an equally efficacious statutory remedy being available to the petitioner against the impugned order passed by the Collector, Purnea under Sub-section (2) of Section 92 of the Bihar Prohibition and Excise Act, 2016 before the Excise Commissioner and the same having not been availed of, I am not inclined to entertain the present writ petition.

4. The writ petition is dismissed accordingly.

(Ashwani Kumar Singh, J)

Md. S/SKSuman.

AFR/NAFR	NAFR
CAV DATE	NA
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