

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2792 of 2018

Arising Out of PS. Case No.-94 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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Gaurav Kumar Son of Pawan Yadav @ Pawan Prasad Yadav Resident of
Villager-Dighra, Police Station Ghailadh, Distt.-Madhepura

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Distrivt Magistrate Madhepura and Ors
2. The District Magistrate, Madhepura
3. The Superintendent of Police, Madhepura
4. The Excise Officer, Madhepura

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Surya Narayan Yadav
For the Respondent/s : Mr.Anil Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-04-2019 In the instant application preferred under Articles 226 and 227 of the Constitution of India, the petitioner has challenged the order dated 13.08.2018 passed in (Excise Act) Confiscation Case No. 39 of 2018 by the learned Collector, Madhepura, by which he has confiscated the motorcycle bearing Registration No. BR 43 L6638 in exercise of powers conferred under Section 58 of the Bihar Prohibition and Excise Act, 2016.

Keeping in mind the provisions prescribed under sub-section (2) of Section 92 of the Bihar Prohibition and Excise Act, 2016 wherein it has been provided that all final orders passed by the Collector shall be appealable to the Excise



Commissioner, I am not inclined to entertain the present application in exercise of extra ordinary writ jurisdiction. Accordingly, the application is dismissed with liberty to the petitioner to challenge the order impugned before the Excise Commissioner in accordance with law.

(Ashwani Kumar Singh, J)

pradeep/sneha

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