

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19336 of 2019

Santosh Kumar Sah @ Santosh Kumar S/o Rami Sah, R/o Vill.- Chakai
Bazar, Anchal Chakai, P.S.- Chakai, Dist.- Jamui ... Petitioner
Versus

1. The State of Bihar through the Principal Secretary, department of Registration, Exercise and Prohibition, Government of Bihar, Patna.
2. The Exercise Commissioner, Bihar, Patna.
3. The District Collector-cum-District Magistrate, Jamui.
4. The State of Bihar through the Director general of Police, Bihar.
5. The Superintendent of Police, Jamui.
6. The Station House Officer, Chakai Police Station, Dist.- Jamui.

... ... Respondents

Appearance :

For the Petitioner : Mr.Pankaj Kumar Sinha, Advocate
For the Respondents : Mr.Vivek Prasad (Gp7)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

and

HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA)

2 16-12-2019 Since the writ petition has been filed for setting aside the final order dated 25.1.2019 passed in Confiscation Case No.97 of 2017 and there is specific provision of appeal under section 92(2) of the Bihar Prohibition and Excise Act, 2016, we are of the view that this writ petition is not maintainable.

In the facts and circumstances of the case, the petitioner may take legal recourse in accordance with law, and the period taken by the petitioner in pursuing the writ petition before this Court, shall be deemed to be condoned in pursuing



his legal recourse against the seizure of his house.

Writ application thus stands disposed of being not maintainable.

(Hemant Kumar Srivastava, J)

(Prabhat Kumar Singh, J)

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