

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5784 of 2020

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Binod Kumar Singh S/o Shiv Bachan Singh, Resident of Village - Kulhariya,
P.S.- Buxar (M), District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Government of Bihar, Patna at Patna.
2. The Divisional Commissioner, Department of Excise, government of Bihar, Patna at Patna.
3. The District Magistrate, District of Buxar at Buxar.
4. The Superintendent of Police, District- Buxar at Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta
For the Respondent/s : Mr.Vivek Prasad (Gp7)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 13-07-2020

Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner has prayed for the following relief:-

“For quashing order dated 13.12.2019 passed in
Confiscation Case No. 15/2019 arising out of Murar PS Case
No. 62/2018 for offence under section 30(a) of Bihar
Prohibition & Excise Act, 2016 by Collector for district
Buxar whereby and whereunder truck bearing Registration
No. UP60T-1113, Engine No. B59180311D63125624 was
confiscated.”

Petitioner has approached this Court without
exhausting the statutory alternative remedy provided under the



Bihar Prohibition & Excise Act, 2016.

It is submitted on behalf of petitioner that against the impugned order he has already preferred appeal being Appeal No. 5 of 2020 on 16.01.2020 before the Excise Commissioner, Patna, which is still pending before the Appellate Authority and has not been decided as yet.

The writ petition is disposed of with a direction to the Appellate Authority to decide the appeal filed by petitioner preferably within 30 days from the date of receipt/production of a copy of the order passed by this Court.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

