

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12560 of 2019

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Randhir Yadav @ Teni Yadav Son of Chandra Narayan Yadav R/o Village-
Laxmipur, Post Office-Murli Chandwa, Police Station-Udakishunganj,
District-Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar through Excise Commissioner, Patna
2. The Collector-cum-District Magistrate Madhepura
3. The Excise Superintendent Madhepura

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv

For the Respondent/s : Mr.Vikash Kumar (SC11)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 25-06-2020

Heard learned counsel for the petitioner and learned

counsel for the respondents.

Petitioner has prayed for the following relief: -

“For issuance of writ in the nature of certiorari
for quashing of order dated 31.01.2019 passed by learned
Collector-cum-District Magistrate, Madhepura, in Excise
Confiscation Case No.104 of 2018, Excise Case No. 153 of
2018 whereby petitioner’s motorcycle TVS, Registration
No. BR43N2190, Engine No. FF1FJ1849537, Chassis
No. MD625FF16J1F87843 has been confiscated under
Section 58 of Bihar Prohibition and Excise Act, 2016.”

It has been submitted by learned counsel for the State

that petitioner has approached this Court without availing the

statutory alternative remedy of appeal and revision against the



impugned order, as such the writ petition is dismissed being pre-mature and petitioner may first avail the statutory remedy of appeal/revision, provided under the Excise Act with liberty to approach this Court after availing all the statutory remedies.

Subject to the aforesaid observation and liberty, this application is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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

