

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18693 of 2019

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Raj Kumar Singh Son of Late Shyam Sunder Singh Resident of Mohalla-
New Patliputra Colony, House No.- 249, Road No.2B, J.D. Mishra Path,
Police Station- Patliputra, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Excise Department, New Secretariat, Patna.
2. The Principal Secretary, Excise Department, Government of Bihar, New Secretariat, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Superintendent of Police, Patna.
6. The Officer-in-Charge, Patliputra Police Station, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bimlendu Shekher Thakur
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)

**(The proceedings of the Court are being conducted through
Video Conferencing and the Advocates joined the proceedings
through Video Conferencing from their residence.)**

Date : 02-07-2020

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

This writ petition has been filed by the petitioner for
quashing the order dated 5.7.2019 passed in Confiscation Case
No.420/2018-19 passed by the learned collector-cum-District
Magistrate, Patna whereby and whereunder the dwelling house
(room and kitchen) of the petitioner situated at Mauza-



Mainpura, Thana No.02, Khata No.356, Khesra No.1045 has been confiscated in the light of power conferred under Section 58(2) of the Bihar Prohibition and Excise Act, 2016.

Petitioner has approached this Court without exhausting the statutory remedy of appeal and revision as provided under the aforesaid Act, as such, present petition is disposed of with a liberty to petitioner to file an appeal before the appellate authority against the order dated 5.7.2019 passed by the District Collector-cum-Confiscating authority, Patna in Confiscation case No.420/2018-19 within 30 days from the date of order passed by this Court and if any such appeal is filed within said period the appellate authority shall condone the delay in filing the appeal as the matter remained pending before this Court and shall decide the appeal on its merit and in accordance with law.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.07.2020
Transmission Date	NA

