

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5947 of 2021

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Mukesh Kumar Raja, Son of Ram Nath Sah, resident of village ward no. 7,
Lalganj, P.S.- Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through Excise Commissioner, Excise of Prohibition Department, Government of Bihar.
2. The Collector cum District Magistrate, Supaul.
3. The Senior Superintendent of Police, Supaul.
4. The Officer in Charge, of Ratanpura Police, Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate
For the Respondent/s : Mr. Vivek Prasad, G.P. 7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 27-05-2021

Heard the parties.

Petitioner has prayed for following relief(s):-

“That this instant writ application is being filed for set aside this order dated 18.12.2020 passed by the Excise Commissioner, respondent no. 1 in Excise Appeal Case No. 125 of 2020 who rejected the Excise Appeal of the petitioner and affirmed the order dated 05.09.2020 passed by the respondent Collector-cum-District Magistrate, Supaul



passed in Excise Case No. 457/2018 and not to release the vehicle four wheeler Mahindra Scorpio bearing Registration No. BR11Y3157 Engine No. TDG4E80136, Chassis No. MA1TA2TDKG2E46100 which was seized by police in connection with Ratanpura P.S. Case No. 65 of 2018 for the offence punishable under Section 420 of I.P.C. and 30(a) of Bihar Excise and Prohibition Act 2016 and further pray for grant of any other relief/reliefs for which the petitioner is found entitled.

Petitioner has approached this Court without availing the statutory remedy of revision against the impugned appellate order, as such, liberty is granted to petitioner to file revision against the appellate order before the Revisional Authority and if any such Revision is filed within 8 weeks, then Revisional Authority shall condone the delay in filing the revision petition and shall decide the revision petition preferably within 8 weeks from the date of its filing on its own merit.

During pendency of revision petition, confiscated property shall not be auction sold, if not already auction sold.



With aforesaid liberty, the writ petition is disposed
of.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/-

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

