

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2386 of 2023

=====

Ajay Kumar, Son of Vijay Manjhi, R/o Village- Behrama Chakiya, P.S.-
Pipra, District- Patna (Owner of Scorpio bearing Reg. No.- BR-01FW-1920).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise and Prohibition, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Superintendent of Police, Patna.
4. The Officer-in-charge, Bikram, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Madan Mohan Prasad, Advocate
For the Respondent/s : Mr.Vikash Kumar (Sc 11)

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 13-04-2023 The petitioner is concerned with his *Scorpio* vehicle bearing Registration No. BR-01FW-1920, Chasis No. MAITA2YS2N2J42432, Engine No. YSN4J81119, which was seized on 27.12.2022. The seizure was made by the police under the Bihar Prohibition and Excise Act alleging an offence under Section 30(a) upon detection of 10 bottles i.e. 7.5 litres of foreign liquor.

The writ petition has been filed mainly with the contention that there is no confiscation proceedings issued, however, the learned counsel for the petitioner himself produced



a newspaper in which publication is made of the proceeding in Confiscation Case No. 335 of 2023 and there are two dates specified as per rules, i.e. on 17.04.2023 and 24.04.2023 for the appearance of the petitioner.

In such circumstances, notice having been published in newspaper which also has come to the notice of the petitioner, there can be no invocation of the extraordinary remedy. The petitioner will be left to appear before the District Collector on the specified dates and seek for final disposal of the proceedings or release of the vehicle under Rule 12A of the Bihar Prohibition and Excise Rules.

Writ petition is disposed of.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

sumit/shashank-

U			
---	--	--	--

