

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3909 of 2023

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Navneet Kumar Singh @ Navneet Kumar S/o Nagina Singh, Resident of
Village- Govind Fulkaha, P.S. - Kanti (Panapur O.P), District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,
Prohibition and Registration, Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The Superintendent of Police, Muzaffarpur.
5. The S.H.O Kanti P.S.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Adv.

For the Respondent/s : Mr. Vivek Prasad (GP 7)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 25-04-2023

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

The writ petition arises under the Bihar Prohibition and
Excise Act, 2016 (hereinafter referred to as 'the Act'). The
petitioner is concerned with his vehicle (Scorpio) bearing
Registration No BR06PD-8790, Engine No. TDJ4E77554,



Chassis no MA1TA2TDKJ2E47385, which was seized pursuant to registration of First Informant Report (for brevity 'FIR') bearing Kanti PS Case No. 544 of 2019 on detection of 516 litres of IMFL in the vehicle.

Confiscation proceeding is said to have been initiated, but not concluded. The petitioner also through a photograph asserts that his vehicle has been used by the Department without his consent, after seizure and without confiscation.

In any event, since confiscation proceeding has been commenced, the petitioner is directed to appear before the District Magistrate, Muzaffarpur (Respondent No.3) on or before 15-05-2023. The petitioner can either seek for confiscation proceeding to be concluded or release of his vehicle under Rule 12A of the Bihar Prohibition and Excise Rules, 2021 (hereinafter referred to as 'the Rules').

If the petitioner makes an application under Rule 12 A of the Rules and the Collector is of the opinion that vehicle can be released on payment of 50% of the insured value then on payment of such penalty, the vehicle shall be released immediately. If otherwise, the petitioner contest the confiscation proceeding, the same shall be concluded within a period of two (02) months from the date of appearance after affording an



opportunity of hearing to the petitioner.

The writ application stands disposed of.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	
CAV DATE	
Uploading Date	28-04-2023
Transmission Date	

