

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4235 of 2023

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Ravi Ranjan Kumar, S/o Sabir Paswan@ Sahver Paswan, Resident of Village-
Kolhua Paigambar Pur, P.S.- Ahiyapur, 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. of Minapur, P.S. Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate
For the Respondent/s : Mr. Vivek Prasad (GP7)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-04-2023

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

The petitioner is concerned with the release of his Wagon
R VXi bearing Registration No. BR06CY-8134, Chassis No.
MA3JMTB1SNE701982, Engine No. K10CNC099913, which was
seized on 10.10.2022 in connection with Minapur P.S. Case No.524
of 2022 dated 10.10.2022 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

We see that quantity of about 120 litres of liquor was



seized from the vehicle.

The learned State Counsel states that a requisition has been sent and a notice has been issued for initiating confiscation proceedings.

However, learned counsel for the petitioner submits that he is ready to get release of the vehicle under Rule 12A of the Bihar Prohibition and Excise Rules, 2021.

In such circumstances, the petitioner would be entitled to approach the District Collector and make an application under Rule 12A of the Rules which shall be considered by the District Collector exercising the discretion conferred under the said provision within one month of the application filed and if release is ordered; on deposit of penalty, the release of the vehicle shall be made immediately.

The writ petition stands disposed of with the aforesaid observations and directions.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	24.04.2023
Transmission Date	

