

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8571 of 2023

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Sanjit Kumar Son of Ramnath Ray @ Ramayan Rai, Resident of
Village- Jalalpur, P.S.- Doriganj, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Bihar Prohibition and Excise, Government of Bihar, Patna.
2. The Collector-Cum-District Magistrate, Siwan.
3. The Superintendent of Police, Siwan.
4. The Superintendent of Excise, Siwan.
5. The Officer In charge, Excise Police Station, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Respondent/s : Mr. Kumar Manish (Sc5)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE JITENDRA KUMAR



ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

3 27-06-2023 In the instant petition the petitioner has prayed for
following relief:

“ (A). A writ in the nature of mandamus or any other appropriate writ, order/s direction commanding the respondents for the following reliefs:-

i) To release the Bolero bearing Registration No. BR04N 8466, Chesis No. MA1XA2GHKESF7849, Engine Number GHE4E63394 which has been seized by S.H.O Excise Police Station, District-Siwan in connection with Excise P.S. Case No. 31 of 2023 dated 09.01.2023 for offences under sections 30 (a) of Bihar Prohibition (Amendment 2022) Act, 2016 which has been forwarded to the court of learned Additional Special Excise Court-2, Siwan.

(B). To any other relief/reliefs for which the petitioner is entitled in the facts and circumstances of the case.”

2. On 22.06.2023, this Court has taken note of final order passed in confiscation proceedings.

3. In view of the aforementioned development, the



petitioner has remedy of filing appeal before the Appellate Authority under Section 92 of the Bihar Prohibition and Excise Act, 2016 (as amended). In the event of filing appeal before the Appellate Authority by the petitioner, the Appellate Authority is hereby directed to examine the petitioner's appeal and decide the same within a reasonable period of time.

4. With the above observation, the Writ Petition Stands disposed of.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

Skm/chandan/-

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