

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8308 of 2023

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Bulet Kumar @ Bullet Kumar Yadav Son of Vidharthi Yadav R/o Village-
Sareya Ahir Tola Ward No.2, P.S.-Paharpur, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Excise Commissioner, Excise Department,
Government of Bihar, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. The District Magistrate-Cum-Collector, East Champaran at Motihari.
4. The Superintendent of Police, East Champaran at Motihari.
5. The Station House Officer, Paharpur, Police Station, District-East
Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s :

Mr. Suraj Kumar Tiwari, Advocate
Mr. Shambhu Narayan Singh, Advocate
Mr. Abhishek Kumar, Advocate

For the Respondent/s :

Mr. Kumar Manish, SC 5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-06-2023

The petitioner is aggrieved with the seizure of his
motorcycle on account of recovery of 720 ml liquor from the
motorcycle bearing Registration No. BR-22BA-7592. The FIR
being Paharpur P.S. Case No. 157 of 2023, was registered on
01.05.2023.

The petitioner submits that he was ready and
willing to pay the amount as per the amended Rule 12A of the



Bihar Prohibition and Excise Rules, 2021 but, however, the District Collector insisted that 50% of the insured value of the vehicle has to be paid.

We see from the amendment made as on 31.05.2023 that the minimum amount of penalty has been reduced from 50% to 10%. In such circumstances, we direct the District Collector to consider the application of the petitioner, if one is filed under Rule 12A, based on the amended provisions and pass orders positively within two weeks from the date of filing of an application, after hearing the petitioner.

The writ petition stands disposed of.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	23.06.2023
Transmission Date	

