

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 11036 of 2023

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Ajay Kumar Son of Sri Munni Prasad, Resident of Village- Imaliya Tola,
Kaularahi, P.S. Bhorey, Distt Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Department of Prohibition and Excise, Govt of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Superintendent of Police, Siwan.
4. The Officer-in-Charge, Mairwa Police Station, Dist- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Dhramveer, Advocate
For the Respondent/s : Mr Kumar Manish, SC V

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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)

2 10-08-2023 In the instant petition, the petitioner has prayed for the
following reliefs:

***“That this Writ application is being
filed on behalf of the petitioner in the nature
of Writ/Writs, Direction/Directions upon the
respondents to release the seized vehicle
Bolero bearing registration No BR28L-6878,
which is seized in connection with Mairwa P
S Case No 142 of 2023, under Section 30 (a)
of the Bihar Prohibition & Excise Act, 2016.”***

2 Having regard to the relief sought in the present
petition and the fact that the petitioner has not submitted any
petition/representation or the application before the competent



authority in so far as the releasing of the subject matter of the motor vehicle, the present writ petition is not maintainable.

3 Accordingly, this petition stands disposed of as not maintainable.

4 Disposal of the present petition would not be a hurdle for the petitioner to submit a detailed representation or application before the Competent authority within a period of two weeks from today. If such representation or application is submitted before the competent authority, the competent authority is hereby directed to pass speaking order within a period of three weeks from the date of receipt of application. The competent authority is hereby directed to take note of Rule 12-A of the Bihar Prohibition and Excise Rules, 2021 while deciding the petitioner's application.

(P B Bajanthri, J)

(Jitendra Kumar, J)

M.E.H./-

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