

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12860 of 2023

Rakesh Kumar Son of Mahendra Prasad Resident of Village- Rafiganj, P.S.-
Rafiganj, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Bihar, Patna.
2. The Principal Secretary, Department of Excise, Bihar, Patna.
3. The District Magistrate, Jehanabad.
4. The Superintendent of Police, Jehanabad.
5. The Excise Officer, Jehanabad.
6. The A.S.I.- cum- Officer in-charge of P.S.- Arwal, District- Arwal.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Respondent/s : Mr.Kumar Manish (Sc 5)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

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

2 19-09-2023 The petitioner's counsel is permitted to amend the cause title insofar as title of Respondent Nos. 3, 4 & 5 and such amendment should be carried out during the course of the day. He is also hereby directed to carry out necessary amendment in the petition copy which has been served on the State counsel.

2. In the instant petition, petitioner has prayed for the following relief(s):-

“That this is an application for issuance of appropriate writ/writs, order/orders, direction/directions directing the respondent authorities to release the vehicle namely Scorpio bearing registration no. BR26X-1580 of above named petitioner which has been seized in connection with Arwal P.S. Case No. 289 of 2023 for the



offence punishable u/s 30(a)/41 of Bihar Prohibition and Excise Act 2018 & further for any other relief(s) for which the petitioner may entitled to.”

3. The aforementioned relief is not supported by any material information to the extent that he had approached the concerned authority so as to give a direction to the concerned authority and to examine the petitioner’s grievance in the light of Rule 12A of Bihar Prohibition & Excise (Amendment) Rules, 2022. Therefore, the present petition is not maintainable.

4. Accordingly, the present petition stands disposed of. Disposal of the present matter would not be a hurdle for the petitioner to approach the concerned authority while making a detailed representation/application under Rule 12A of Bihar Prohibition & Excise (Amendment) Rules, 2022 within a period of two weeks’ from the date of receipt of this order. Such receipt of petitioner’s representation/application the concerned authority is hereby directed to decide the petitioner grievance within a period of one month from the date of receipt of such application/representation.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

abhishekk/-

U			
---	--	--	--

