

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13092 of 2023

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Sarwan Keshri @ Sarwan Prasad Keshri Son of Late Ratandev Keshri @
Latandev Prasad Keshri, Resident of Village- Dilawarpuri Bara, P.S.- Kotwali
(Purabsarai O.P), District- Munger (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Prohibition
Excise and Registration Department, Government of Bihar, Patna.
2. The Excise Commissioner, Prohibition Excise and Registration Department,
Government of Bihar, Patna.
3. The District Magistrate, Munger.
4. The Additional District Magistrate, Munger.
5. The Superintendent of Police, Munger.
6. The Superintendent of Excise, Munger.
7. The Station House Officer, Kotwali P.S. District- Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary, Advocate
For the Respondent/s : Mr. Vikash Kumar (Sc 11)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

3 25-09-2023 In the instant writ petition, petitioner has prayed for
the following relief(s):-

*“(a) For a direction upon the Respondent
authorities to unseal the room in the joint
house of the Petitioner situated at Dilwarpur
Bara (Purabsarai O.P., Kotwali P.S., District-
Munger) which was sealed in connection with
Kotwali P.S. (Purabsarai O.P.) Case No.
124/2023*

(b) To quash the Excise Confiscation Case No.



07/2023-24 pending before the Additional District Magistrate, Munger [Respondent No.4] with respect to a room in the joint house of the Petitioner situated at Dilwarpur Bara (Purabsarai O.P., Kotwali P.S., District-Munger) which has remained pending in violation of statutory provisions as well as settled law in this regard.

(c) To pass any other order/orders in shape of a consequential relief to which the Petitioner may be found to be illegally entitled to in the facts and circumstances of the instant case at hand.”

2. Petitioner has rushed to this Court without exhausting the remedy of appeal before the Appellate Authority against the order of confiscation dated 14.07.2023. If an appeal is filed before the Appellate Authority, the Appellate Authority is directed to expedite the appeal proceedings within the time limit stipulated in the relevant provision of law.

3. In the alternative petitioner is also permitted to invoke Rule 12(B) of the Bihar Prohibition and Excise Rules, 2021, if petitioner desires to do so. If such an application is filed in a prescribed format/form, in that event, the competent authority is hereby directed to take note of the petitioner's grievance and redress the same in the light of Rule 12(B) of Bihar Prohibition and Excise Rules, 2021 by passing a suitable order within a reasonable period of two weeks from the date of



receipt of petitioner’s representation/application.

4. Accordingly, the above writ petition stands disposed off.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

Himanshu/-
Ashish/-

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