

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14494 of 2023

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Karan Kumar Jha S/o Bhagwat Narayan Jha, Resident of Village- H. No- a
29, Mohammadpur, R.K. Puram Sector- 5, Part- 2, Police Station- Vasant Vi-
har, District- South West Delhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department Bihar, Patna.
2. The Excise Commissioner, Bihar Prohibition and Excise Act 2016, Saran, Bihar.
3. The Excise Officer, Bihar Prohibition and Excise Act 2016, Saran, Bihar.
4. The District Collector, District- Saran, Bihar.
5. The Superintendent of Police, District- Saran, Bihar.
6. The Officer in Charge of Revelganj Police Station, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Respondent/s : Mr. Kumar Manish (Sc 5)
Ms. Shama Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 17-10-2023

Heard learned counsels for the respective parties.

2. In the instant writ petition, petitioner has prayed for
the following relief/reliefs:

*“For issuance of appropriate
writ/writs, direction/directions, order/orders
directing the respondents to release the four
wheelers Vehicle Safari bearing registration*



*No.-HR-27G-6934, Chassis No. -
MAT617025FNN07484, Engine Number -
VARICOR06NUYJ15238 which is seized in
connection with Revelganj P.S. Case No.
302/2022 dated 23.08.2022, registered offence
Under Sections 30 (a) of Bihar Prohibition and
Excise Act.”*

3. The aforementioned relief is not supported by demand like representation or application in the prescribed form under Rule 12 - A of the Bihar Prohibition and Excise Rules, 2023 (hereinafter referred to as ‘Rules, 2023’). In the absence of such demand or application before the competent authority, the present writ petition is not maintainable.

4. Accordingly, the present writ petition stands disposed of as not maintainable.

5. Disposal of the present writ petition would not be a hurdle for the petitioner to file an application under Rule 12 - A of the Rules, 2023 within a period of four weeks from today. If such an application is filed, the concerned authority is hereby directed to examine the same and decide within a reasonable period of time.

6. The concerned authority is also hereby directed to take note of pendency of the confiscation proceedings and if the



confiscation proceedings has not been concluded as on today, the grievance of the petitioner shall be considered insofar as releasing of the vehicle under Rule 12 – A of the Rules, 2023.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.10.2023
Transmission Date	NA

