

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.887 of 2024

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Anil Singh @ Anil Kumar Singh Son of Late Janakdeo Singh @ Kumar Janak
Deo Singh R/o Plot No. 162, Cooperative Colony, Bokaro Steel City, P.S.-
Bokaro Steel City, District- Bokaro (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Superintendent of Police, Banka.
4. The Dy.S.P., Banka.
5. The Station House Officer, Bounsi Police Station, District- Banka.
6. The Investigating Officer of Bounsi P.S. Case No. 142 of 2021, Bounsi
Police Station, District- Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Respondent/s : Mr. Arvind Ujjwal, S.C. - 4
Mr. M Nath Raj, A.C. to S.C. - 4

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

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

2 19-01-2024 In the instant petition, petitioner has prayed for the

following relief:

*This writ application is being filed for
release of the Golden Chain, Golden Brasslet, one
Golden Ring, three I Phones, Cash Rs. 2,26,030/-
one brown colour Trolley bag, Driving license,
Credit Cards and Passbook seized from possession
of the petitioner on 07.03.2022 in connection with
Bounsi P.S. Case No. 142 of 2021 dated
06.07.2021 registered under Section 30(a),
32(2)/34 of the Bihar Prohibition and Excise Act
pending in the Court of learned A.D.J. II – cum
-Special Court, Excise, Banka in which the*



petitioner has been made accused being the owner of a bottling plant situated in the State of Jharkhand (Bokaro) having valid license thereof and further for issuance of any other appropriate writ/writs, order/orders, direction/directions for which the petitioners are entitled to in the facts and circumstances of the case.

2. For issuance of writ of Mandamus there must be demand before the competent authority such a demand is not forthcoming. Therefore, the present petition is premature. Accordingly petition stands disposed of.

3. Disposal of the present petition would not be a hurdle for the petitioner to invoke Rule 12 – A of Rules 2021 read with amendment of the aforementioned Rules in the year 2022 – 2023. If the petitioner submits application in the prescribed form, the same shall be considered by the competent authority within a period of two weeks from the date of receipt of such application.

4. With the aforesaid observation, petition stands disposed of.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

saaurabhkr/-

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