

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4718 of 2024

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Raj Gohel Son of Anil Prasad Resident of Village- Main Road, Belaganj, Po-
lice Station- Belaganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Department of Prohibition and Ex-
cise Act, Government of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The S.H.O., Kuchaikote P.S., Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Respondent/s : Mr. Government Pleader (16)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

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

Date : 18-03-2024

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

*“That this is an application for is-
suanace of an appropriate writ and/ or direction
commanding the respondents to release the
Ranault Triber Car bearing Registration No. BR
02 BG 9525 which has been seized by Kuchaikote
P.S. in pursuant to lodging of an F.I.R. bearing
Kuchaikote P.S. Case No. 461 of 2023 under sec-
tion 30 (a) of the Bihar Prohibition and Excise
Amendment Act, 2018.”*



2. For issuance of writ of mandamus there must be demand before the competent authority followed by statutory duty vested in the public authority. Ingredient No. 1 relating to demand before the competent authority is not forthcoming in the present *lis*. Accordingly, present writ petition stands disposed of as premature.

3. Disposal of the present writ petition would not be a hurdle for the petitioner to approach the concerned authority under Rule 12 A of Bihar Prohibition and Excise Rules, 2021 read with amended sub Rule (2) of Rule 12 A in the year 2022 and 2023. If such application is submitted in the prescribed format, the concerned authority is hereby directed to proceed to decide the petitioner’s case within a period of two weeks from the date of receipt of such application under Rule 12 A.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.03.2024
Transmission Date	NA

