

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7870 of 2024

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Sonu Singh @ Sonu Kumar Singh, Son of Ramakant Singh, Resident of
Village- Panditpura, Police Station- Bhorey, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary Excise, Prohibition and Registration Department, Government of Bihar, Patna
2. The Deputy Secretary Excise, Prohibition and Registration Department, Government of Bihar, Patna.
3. The Collector, Gopalganj, District- Gopalganj.
4. The Superintendent of Police, Gopalganj.
5. The Sub Inspector Bhorey, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Priya Raj, Advocate
For the Respondent/s : Mr. Standing Counsel 11

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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 : 08-05-2024

In the instant petition, petitioner has prayed for the
following reliefs:-

*“(I) That this is an application for
issuance of writ(s) order(s), direction(s) upon the
respondents to release the vehicle bearing
Registration No. UP52BF-5220 Super Splendor
motorcycle having Chassis No.
MBLJAW17XLGE02350, Engine No.*



JA07ABLGE01291 which has been seized in connection with Bhorey P.S. Case No. 339 of 2023 dated 11.07.2023 under section 30(a) Bihar Prohibition and Excise Act, 2016 in favour of the petitioner as he is the real and registered owner of the seized vehicle.”

2. In support of aforementioned relief there is no demand before the competent authority in particularly under Rule of 12A of the Bihar Prohibition and Excise Rules, 2021 read with amended sub Rule 2 of Rule 12A in the year 2022 and 2023.

3. In the absence of demand before the competent authority the present writ petition for writ of mandamus is not maintainable or it is pre-mature. Accordingly, the present petition stands disposed of as pre-mature.

4. Disposal of the present petition would not be a hurdle for the petitioner to invoke remedy under Rule 12A of Bihar Prohibition and Excise Rules, 2021 including amended provisions in the year 2022 and 2023. If such application is submitted in the prescribed form before the competent authority, the competent authority shall pass speaking order within a period of two weeks from the date of receipt of such application.



5. With the above observation, the present petition stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.05.2024
Transmission Date	N.A

