

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1286 of 2023

Arising Out of PS. Case No.-256 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Rohit Kumar Son of Bindhyachal Kumar Paswan Resident of village -
Karpurwa, P.s. - Sasaram (Darigoan), Distt. - Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Exise Dept. Bihar, Patna Bihar
2. The District Magistrate, Rohtas at Sasaram Bihar
3. The Superintendent of Police, Rohtas at Sasaram Bihar
4. The Deputy Superintendent of Police, Rohtas at Sasaram Bihar
5. The S.H.O., Nagar P.S. - Sasaram Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Vikalp, Advocate
For the Respondent/s	:	Mr. Akash Chaturvedi, AC to SC-11

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 23-01-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner in the present case is seeking a direction to the respondents for release of his vehicle bearing Reg.No.BR24AJ 3525 which has been seized in connection with Sasaram (Darigoan) P.S. Case No.256 of 2023 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. At the outset, learned counsel for the State submits that under Rule 12A of the Bihar Prohibition and Excise (Amendment) Rules, 2022 (hereinafter referred to as the ‘Rules of 2022’), the petitioner has a remedy available before the District Magistrate, Sasaram. Learned counsel submits that if

the petitioner moves an application for release of the vehicle before the District Magistrate, the vehicle may be released on payment of penalty as may be fixed by the District Magistrate.

4. In the aforesaid view of the matter, this writ application is being disposed of with liberty to the petitioner to seek his remedy before the District Magistrate, Sasaram under the aforesaid Rules of 2022. If such an application is filed within one month from today, the same shall be considered and disposed of within one month from the date of filing of the application.

5. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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