

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11519 of 2024**

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Sujeet Kumar Thakur son of Shankar Thakur Resident of Village- Rajabhar,  
Police Station- Town, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate ,Gopalganj
2. The Superintendent of Police District, Gopalganj
3. The officer-in-charge, Vishambharpur Police Station, District- Gopalganj

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Anant Kr Mishra  
For the Respondent/s : Mr. Mujkabaul Haque, GP 12

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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 : 12-08-2024**

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

*(i)For release the motorcycle of petitioner  
Hero Splendor Motorcycle bearing Reg No  
BR05AW 2542, Chasis No.  
MBLHAW126KB5230, Engine No.  
NoHA11EYNHK65102*

*Seized in connection with Vishampur Police  
Station Case No. 38 of 2024 in favour of the  
petitioner.*

*(ii) For any other relief/reliefs for which  
petitioner is found entitled in the facts and  
circumstances of this case.*

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



amended sub Rule 2 of Rule 12 A 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 12 A 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)**

vashudha/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 20.08.2024 |
| Transmission Date | NA         |

