

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11968 of 2024

Pradeep Kumar Sahni, S/o- Lakshami Sahni, Resident of Village- Maulvi Chak, P.O.- Chak Nawada, P.S.- Dalsingh Sarai, District- Samastipur.

... .. Petitioner.

Versus

1. The State of Bihar through the Principle Secretary, Bihar Prohibition and Excise Department, Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, Seikhpura, District- Seikhpura.
3. The Sub- Divisional Officer, Seikhpura, District- Seikhpura.
4. The Superintendent of Police, Seikhpura, District- Seikhpura.
5. The Incharge Officer, District Legal Cell, Seikhpura, District- Seikhpura.
6. The Motor Vehicle Inspector, Seikhpura, District- Seikhpura.
7. The Police Inspector-cum- S.H.O, Seikhpura, District- Seikhpura.

... .. Respondents.

Appearance :

For the Petitioner	:	Mr. Shashi Saurabh, Advocate.
For the State	:	Mr. M.N.H. Khan, SC-1.
		Mr. Md. Irshad, AC to SC-1.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 22-08-2024

In the instant writ petition, the petitioner has prayed for the following relief(s):

“I. For issuance of writ of certiorari in quashing the order dated 13.07.2023 passed by the Collector, Seikhpura in Seikhpura P.S. Case No.167/2023 whereby and whereunder penalty has been imposed Rs.5,00,000/- for release of vehicle (contained in Ann-P/7).



- II. For issuance of an appropriate writ, order or direction including writ in the nature of mandamus commanding the respondents to release the vehicle of the petitioner Bolero Pickup, bearing Registration No.BR09GB-9704, Engine No.TNN1L25489, Chasis No.MA1ZU2TNKN1L15147 which was seized by the Assistant Police Inspector on which illegal wine was loaded.
- III. For any other orders/orders or direction/directions which Your Lordship's may deem fit and proper for which petitioner is legally entitled under the law.”

2. The petitioner has exhausted remedy of filing an application before the competent authority under Rule 12A of the Bihar Prohibition and Excise Rules, 2021 read with amended sub Rule 2 of Rule 12A in the year 2022 and 2023 and suffered order. The petitioner is at liberty to approach the next higher authority against the order passed under Rule 12A of the Bihar Prohibition and Excise Rules, 2021. If such application is filed, the concerned authority shall examine the same and decide



the matter within a period of two months from the date of filing of such application or appeal.

3. With the aforesaid observation(s), the instant writ petition stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.08.2024.
Transmission Date	NA

