

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11325 of 2024

Manju Devi W/o Surendra Singh, R/S. Vill- Semraha, P.O. Bellour, P.S.-
Panapur, Dist- Saran (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar, through The Principal Secretary, Department of Prohibition and Excise, Govt. of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Officer-in-Charge, Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhramveer
For the Respondent/s : Mr.Addl. Advocate General (9)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)
Date : 30-07-2024

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

That this instant Writ application is being filed on behalf of the petitioner for direction/ directions upon the Respondents to release the seized Honda CP motorcycle bearing Reg. No. BR-28AD-4432, Chesis No. ME4KC35G4PA007570, Engine No. KC35E-A-B012566, which is seized in connection with Gopalpur P.S. Case No. 135/24 dt. 18.06.2024, u/s. 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

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 petitioner 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/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.08.2024
Transmission Date	NA

