

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15630 of 2024

=====

D.T.D.C. Express Ltd., Near Didarganj Toll Plaza, Bypass Road, Karmalichak, Nagla Malsalami, Patna, Bihar-800009 through its Assistant Manager (Security and Vigilance Bihar) Rajeev Ranjan (Male), aged about-39 Years, Son of Ratnesh Kumar Singh, Resident of Mithapur B Area, K.P. Sarkar Road, Post-G.P.O., Police Station-Jakkanpur, District-District-Patna (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Prohibition Excise and Registrtrion Department, Government of Bihar, Patna.
3. The District Magistrate-Cum-Collector, Buxar, District-Buxar.
4. The Sub-Divisional Magistrate, Buxar, District-Buxar.
5. The Excise Superintendent, Buxar, District-Buxar.
6. The Station Head Officer, Buxar Excise Police Station, District-Buxar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh, Advocate
For the State : Mr. Sanjay Kumar, AC to GP 23

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

2 08-10-2024 In the instant writ petition, petitioner has prayed for
the following reliefs:

“For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities particularly the Respondent nos. 3 and 4 to release the items/goods as mentioned in ANNEXURE – 1 of the Seizure list of Buxar Excise P.S. Case No. 240 of



2024 dated 29.06.2024 (ANNEXURE-P-3 of the writ petition)registered for the offences under Sections 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 in favour of the petitioner company in view of the provisions as contemplated under Section 57 B of the Bihar Prohibition and Excise (Amendment) Act (hereinafter referred to as 2022 Amendment Act) read with Rule – 12 A of the Bihar Prohibition and Excise (Amendment) Rules, 2022 (hereinafter referred to as the Amendment Rules, 2022) interalia on the ground that the said items/goods were booked by the different docket numbers as mentioned in the seizure list itself and its further detainment causes imparable losses to the consumers as well as the petitioner company which cannot be compensated in future.

(II) For issuance any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.”

2. The concerned respondent is hereby directed to consider the petitioner’s application filed under Rule 12 A of the Bihar Prohibition and Excise (Amendment) Rules, 2022 *vide* Annexure P/5 dated 07.09.2024. The same shall be considered within a period of three weeks from the date of receipt of copy



of this order and communicate the decision to the petitioner forthwith.

3. With the above observation, writ petition stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

GAURAV S./-

U			
---	--	--	--

