

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.774 of 2025

Prabhat Kumar Singh, S/o- Kaushal Singh, R/O Village- Kawalu, P.S.- Daru,
District- Hazaribagh, State- Jharkhand- 825313.

... .. Petitioner.

Versus

1. The State of Bihar through Secretary Excise and Prohibition Department,
Govt. of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate, Darbhanga, Bihar.
4. The Superintendent of Police, Darbhanga, Bihar.
5. The Superintendent of Excise, Darbhanga, Bihar.
6. The SHO, Bhalpatti Police Station, Darbhanga, Bihar.

... .. Respondents.

Appearance :

For the Petitioner : Mr. Md. Danish Quamar, Advocate.
For the State : Mr. Manish Kumar, GP-4.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 30-01-2025

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

- “i. For issuance of a writ in the any other
appropriate order/orders, direction/
directions directing the respondents to
release the vehicle of the petitioner which
is Mahindra & Mahindra Limited Truck
having Registration Number JH19A4483,
Engine Number BC12ZC0025 and Chassis
Number C6C91499 and Model No.-LPT
3118 2013 which has been seized by the
State officials under the Bhalpatti P.S. Case



No.-54 of 2024 U/s-30(a), 41(a) of the Bihar Prohibition and Excise Amendment Act, 2018 dated 01.08.2024.

And/or

- ii. For any other order/orders, relief/reliefs for which the petitioner may be entitled in the eyes of law.”

2. It is an admitted fact that the petitioner is not the owner of the subject matter of the vehicle and he is only agreement holder. Agreement has not attained finality insofar as sale of the subject matter of the vehicle in favour of the petitioner. Therefore, petitioner has no locus insofar as claiming the subject matter of vehicle.

3. Accordingly, instant writ petition stands dismissed. Dismissal of the instant writ petition would not be a hurdle for the owner of the vehicle with reference to date of offence as on 01.08.2024 to resort such remedy available to him/her.

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.02.2025.
Transmission Date	NA

