

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4404 of 2025

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Sheela Kumari Daughter of Ramakant Mahato Resident of Village- Bararam,
Police Station- Hussainganj, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Registration, Prohibition and Excise, Government of Bihar, Patna.
2. The Collector/ District Magistrate, Gopalganj, District- Gopalganj.
3. The Excise Superintendent, Gopalganj, District- Gopalganj.
4. The Superintendent of Police, Gopalganj, District- Gopalganj.
5. The Officer-in-Charge of Kuchaikote Police Station, Police Station- Kuchaikote, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh
For the Respondent/s : Mr. Government Pleader (4)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

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

3 30-04-2025 In the instant petition, petitioner has prayed for the
following relief(s):

“(i) An appropriate writ in Mandamus directing the respondents to release the Hero Splendor Motorcycle bearing registration no. BR29AZ0699 Chasis No. MBLHAW214HJ12191 Engine no. HA11E7PHJ14838, which is seized and registered the case bearing Kuchaikote police station case no. 349 of 2024 under section 30(a) of Bihar Prohibition and Excise Amendment Act 2018.

(ii) Any other writ/ writs, order/ orders or direction/ directions as the facts



and circumstances of the case may require and deemed fit by this Hon'ble Court may also be issued."

2. Learned counsel for the State, on instruction, submitted that Confiscation proceeding has attained finality on 31.01.2025. Therefore, petitioner has remedy of filing appeal before the Appellate Authority under Section 92 of the Bihar Prohibition and Excise Act, 2016. Simultaneously, he has remedy of filing application under Rule 12(A) of Bihar Prohibition and Excise Rules, 2021 insofar as release of the subject matter of vehicle. Petitioner is at liberty to invoke the aforementioned remedies. If such remedy is availed by the petitioner, in that event, the concerned Authority is hereby directed to expedite the proceedings and complete within a reasonable period of time of three months.

3. With the above observations, Writ petition stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

Sudhanshu/-

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