

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5730 of 2025

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Dhirendra Prasad Srivastava @ Dhirendra Prasad Son of Late Thakur Lal @
Thakur Lal Srivastava, Resident of Village and P.O. Kalyanpur, P.S. Bhore,
District- Gopalganj.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhramveer, Advocate
For the Respondent/s : Mr.Government Advocate (08)

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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 14-05-2025 Pursuant to our previous order learned counsel for the

State has filed the counter affidavit and the same is taken on

record.

2. In the instant petition, petitioner has prayed for

the following relief:-

1. That this instant Writ application is being
filed on behalf of the petitioner for direction upon the
Respondents to release the seized Hero M-HF Deluxe
motorcycle of the petitioner bearing Reg. No. BR28S-
1988, CHESIS NO. MDLHAR23XH4F06292,
ENGINE NO. HA11ENH4F-12143, which is seized in
connection with Bhore P.S. Case No. 429/21, dt.



04.10.2021, U/S 414 of IPC & U/S 30 (a) of Bihar
Prohibition & Excise Amendment Act, 2018.

3. Learned counsel for the State pursuant to our previous query submitted that confiscation proceeding has attained finality on 18.12.2022. Therefore, the petitioner has not made out a case. Be that as it may, the petitioner is hereby directed to file appeal before the appellate authority against the confiscation order dated 18.12.2022 under Section 92 of the Bihar Prohibition and Excise Act, 2016.

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

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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