

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4706 of 2025

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Ajeet Singh Son of Lal Singh Resident of Village-Shrimau Sandi (Rural),
P.S.- Arwal District- Hardoi (Uttar Pradesh).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Govt. of Bihar, Patna.
2. The District Magistrate Cum-Collector, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The S.H.O. Mohammadpur Police Station, District-Gopalganj.
5. The Investigating Officer of Mohammadpur P.S. Case No. 272/2024,
Mohammadpur Police Station, District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey, Advocate
For the Respondent/s : Mr. K.K. Singh, AC to GP-22

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 11-04-2025

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

“(i) A writ in the nature of mandamus or any
other appropriate writ order/orders, direction/directions



to commanding the respondent to release, Maruti Suzuki Swift Dzire Car bearing Registration No. UP30CT6438, Engine No. K12NP7387593, Chassis No. MBHCZFB3SPL493980 in favour of the petitioner which has been seized earlier in connection with Mohammadpur P.S Case No. 272/24 registered for the offence under section 30(a) Bihar Prohibition and Excise (Amendment) Act 2018 dated 01.12.2024 forth with:-

(ii) To any other relief/reliefs for with petitioner is found in titled to.”

2. In support of the aforementioned relief, there is no demand before the competent authority in particularly under Rule of 12A of the Bihar Prohibition and Excise Rules, 2021 read with amended sub Rule 2 of Rule 12A in the year 2022 and 2023.

3. In the absence of demand before the competent authority, the instant writ petition for writ of mandamus is not maintainable or it is pre-mature. Accordingly, the instant writ petition stands disposed of as pre-mature.

4. Disposal of the instant writ petition would not be a hurdle for the petitioner to invoke remedy under Rule 12A 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 instant writ petition stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.04.2024
Transmission Date	NA

