

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8792 of 2025

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Dipu Kumar Yadav @ Deepu Kumar Yadav S/o Anil Kumar Yadav, Resident
of Village- Kilpur, P.S.- Nautan, Distt. - Siwan, State - Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Excise, Prohibition and Registration Department, Government of Bihar, Patna.
2. The Deputy Secretary Excise, Prohibition and Registration Department, Government of Bihar, Patna.
3. The Collector Gopalganj, District- Gopalganj.
4. The Superintendent of Police, Gopalganj.
5. The Sub Inspector Uchkagaon, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Priya Raj, Advocate
For the Respondents State: Ms. Dimpal Kumari, AC to GP-11

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

Date : 12-11-2025

Heard the learned counsel for the petitioner and
learned AC to GP-11 for the State.

2. Petitioner in the present case is seeking release of
the vehicle bearing registration No. BR29BB5340, Chassis
No.MA1UJ2TZ2R2F35199 and Engine No. TZRZE90255.

3. It appears that the the vehicle in question has been
seized and a case bearing Uchakagaon P.S. Case No. 349 of
2024 dated 22.10.2024 has been registered under Sections
303(2), 3(5) of B.N.S., 2023 and Section 30(a)/45 of the Bihar



Prohibition and Excise Act, 2022.

4. From the counter affidavit, it appears that the Superintendent of Police, Gopalganj has already forwarded a requisition to the Confiscation Officer, i.e., District Magistrate, Gopalganj for confiscation of the vehicle in question.

5. Learned counsel for the petitioner submits that in view of the pendency of this writ application, perhaps the confiscation case has been kept stayed.

6. It, therefore, appears that the confiscation case has already been registered and is pending before the District Magistrate, Gopalganj.

7. In the given facts and circumstances, we dispose of the writ application giving liberty to the petitioner to move before the Confiscating Authority, i.e., District Magistrate, Gopalganj with an appropriate application in terms of Rule 12A of the Bihar Prohibition and Excise Rules, 2021. The petitioner may also seek such other statutory remedy which may be available to him. If any such application is filed before the District Magistrate, Gopalganj within a period of thirty days from today, the District Magistrate, Gopalganj (Respondent No. 3) shall consider and dispose off the same within eight weeks from the date of filing of the application, keeping in view the



several judicial pronouncements on the subject.

8. The writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

(Sourendra Pandey, J)

manoj/-

AFR/NAFR	NAFR
CAV DATE	NA
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