

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6079 of 2025

Vikki Kumar son of Mahesh Mishra resident of village- Akbarpur, ward no.-8,
Soranpur, P.S.-Naubatpur, District- Patna, Bihar- 801505

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Collector, Patna.
- 2. The Senior Superintendent of Police, Patna
- 3. The officer-in-charge, Bihta P.S, Bihta, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Akshay Kumar, Advocate
For the Respondent/s : Mr.Standing Counsel (25)

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

“That this petition is being filed for issuance of
an appropriate writ/writs, order/orders,
direction/directions especially in the nature of Mandmus
for commanding the respondents to release the Auto
rickshaw (Tempo) bearing Regd No. BR01 Q8215,
Engine no.-AZXWPH-14140, Chasis No.-
MD2B17AX6PWH08221 of the petitioner, which has
been seized and being subjected to the confiscation
proceeding in connection with Bihta P.S. case no.
1011/2024 instituted under section 30(a) of Prohibition
and Excise Act, 2022 the Bihar (Amendment).”



2. Learned counsel for the State on instruction submitted that confiscation proceeding has attained finality on 18.03.2025. Therefore, the petitioner has remedy of filing appeal before the appellate authority under Section 92 of the Bihar Prohibition and Excise Act, 2016. Simultaneously, he is permitted to invoke remedy under Rule-12A of the Bihar Prohibition and Excise Rules, 2021 for the purpose of release of subject matter vehicle. If the aforementioned proceedings are undertaken by the petitioner, the same shall be decided by the respective authority(s) within a reasonable period of time of three months from the date of receipt of such application/appeal.

3. Till disposal of memorandum of appeal to be filed on behalf of the petitioner, the subject matter vehicle shall not be auctioned.

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

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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