

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6078 of 2025

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Sanjeet Kumar Chaudhary Son of Late Suresh Chaudhary @ Suresh Kr. Chaudhary, Resident of Village- Nasariganj Near Shiv Mandir Temple, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Excise, Govt. of Bihar, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. S.H.O., Danapur Police Station, Patna.
6. Investigating Officer of Danapur P.S. Case No.890/22, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate
For the Respondent/s : Mr.Government Advocate (09)

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

“That, this is an application for issuance of appropriate writ, order or direction to the respondents o release of C.N.G. Tempoo registration No.-BR01PL8268 Chesis no. MD2B47AX2MWK 12980, Engine No. AZXWMK27754 which has been seized in Danapur P.S. Case No. 890 of 2022 under Section 30(a) of the Bihar Prohibitin and Excise Act amended and for grant of all consequential benefits.”



2. Learned counsel for the State on instruction submitted that confiscation proceeding has attained finality on 23.12.2022. 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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