

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8562 of 2017

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Arvind Kumar S/o Late Anand Mistri, R/o Mohalla- Sagar Sasaram, P.S.
Sasaram, District- Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Collector, Bhojpur, Ara.
3. The Superintendent of Police, District Bhojpur, Ara.
4. The Senior Deputy Collector, Bhojpur, Ara.
5. Assistant Excise Commissioner, Bhojpur, Ara.
6. Excise Superintendent, Bhojpur.
7. S.H.O., Ara Town Police Station, District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate

For the Respondent/s : Mr. Ajit Kumar, G.A.-9

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 05-02-2025

We have heard Mr. Harsh Singh, the
learned Advocate for the petitioner and Mr. Ajit
Kumar, the learned Advocate for the State.

2. Mr. Harsh Singh, the learned Advocate



submits that the issue with respect to the right of the Collector to pass an order of confiscation has already been decided in a number of appeals, one being L.P.A. No. 1647 of 2015, dated 06.02.2019. He, therefore, does not question the validity of the provision in the Excise Law.

3. However, as an interim measure the vehicle of the writ petitioner was released, but the confiscation proceedings are still in existence.

4. It would be open for the petitioner to approach the Confiscating Authority for the needful or before the Appellate Authority, if confiscation order has been passed, within a period of eight weeks, in which case, the authority concerned shall consider that the delay in approaching the said authority was because of the pendency of this writ petition.

5. The writ petition stands disposed off with the liberty aforesaid.



6. Interlocutory application/s, if any, also
stands disposed off accordingly.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Manoj/Praveen-II

AFR/NAFR	NAFR
CAV DATE	NA
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