

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8945 of 2025

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Neeraj Singh @ Neeraj, S/o Pancham Singh, Resident of Village-Vijwasan,
Barthal Road, House No. 150, KH No. 479 South-West, Delhi-110077.

... .. Petitioner.

Versus

1. The State of Bihar through Additional Chief Secretary, Department of Excise, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Excise, Government of Bihar, Patna.
3. The Excise Commissioner, Government of Bihar, Patna.
4. The District Magistrate, Gopalganj.
5. The Superintendent of Police, Gopalganj.
6. The S.H.O. Mahammadpur, Gopalganj.

... .. Respondents.

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Appearance :

For the Petitioner : Mr. Pramod Mishra, Advocate.
For the State : Mr. Uday Shankar Sharan Singh, GP-19.

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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 : 10-07-2025

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

“For commanding and directing the
Respondents concerned to release
white colour swift desire Car bearing
RegistrationNo.UP16ET5191, Chassis
No.MA3EJKD1S00B13039, Engine
No.K12MN2016742 registered in the
name of present petitioner which has



been illegally seized by the police team in connection with Mahammadpur P.S. Case No.208/2024 registered for the offence under section 30(a) Bihar Prohibition and Excise Act. And/or any other relief/reliefs for which the petitioner is found entitled to in the facts and circumstances of the case.”

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)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.07.2025
Transmission Date	NA

