

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9337 of 2025

=====

Ganesh Sahani Son of Surendra Sahani Resident of Village-Sonbarsa Ward
No.12, Police Station Pear, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Department, Bihar, Patna.
2. The Commissioner Saran Division, Gopalganj (Bihar)
3. The Collector Cum District Magistrate Gopalganj (Bihar).
4. The Officer in Charge, Excise Police Station, Gopalganj, (Bihar).
5. District Transport Officer, Excise, Gopalganj (Bihar).

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Baijnath Sah
For the Respondent/s : Mr.Government Pleader (18)

=====

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 25-07-2025 In the instant petition the petitioner has prayed for the
following relief(s):-

*“For giving direction to the
respondent No. 3 (DM) collector Gopalganj to
release the Auto Riksha (Tampu) Mahindra
three wheeler bearing No. Chassis
BR06PC7366, No. registration
MA1LE2FYSF5K95260, Engine No.
R5J2692179, which was seized by respondent
No. 4 in Excise police station Gopalganj case
No. 933 of 2024, alleged offence under section
30(a) and 32 of Bihar prohibition and excise
Amendment Act 2018.”*



2. As on the date of filing of present petition, on 17.06.2025, confiscation proceedings has attained finality on 01.04.2025. Therefore, the petitioner has statutory remedy of invoking the appeal under Section 92 of the Bihar Prohibition and Excise Act, 2016.

3. Simultaneously, he is permitted to file application under Rule 12A of the Bihar Prohibition and Excise Rules, 2021 read with amended Sub-Rule 2 of Rule 12A in the year 2022 and 2023. If such appeal/application are filed before the concerned authority the concerned authority is hereby directed to decide the grievance of the petitioner within a reasonable period of two months from the date of receipt of such appeal/application.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

Ankit Kumar/-

U			
---	--	--	--

