

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10313 of 2025

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Dhananjay Singh, S/o- Kamla Singh R/o- Defence Colony, Chandmari,
Danapur, P.S.- Shahpur, District- Patna.

... .. Petitioner.

Versus

1. The State of Bihar through Home Secretary, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Govt. of Bihar, Patna.
3. The State of Bihar, through the Principal Secretary, Department of Excise,
Government of Bihar, Patna.
4. The District Magistrate, Arwal.
5. The Superintendent of Police, Arwal, District- Arwal.
6. The Station House Officer, P.S.- Arwal, District- Arwal.
7. The Investigating Police Officer, (Arwal P.S. Case No.- 17/25), P.S.- Arwal,
District- Arwal.

... .. Respondents.

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Appearance :

For the Petitioner : Mr. Rounak Sinha, Advocate.
For the State : Mr. Government Advocate (9).

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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):

“i. For issuance of an appropriate writ(s), order(s), directing the concerned Respondents to release the vehicle bearing Registration No.BR01PH9877, Engine No. E172506, Chassis No.MEEBBA000H9536303, in favour of the Petitioner, which has been seized in Arwal P.S. Case No.17/25.



ii. For issuance of an appropriate writ(s), order(s), or directions, directing the Respondents to compensate the Petitioner for the financial loss, harassment, and inconvenience caused by the unlawful seizure and prolonged detention of the vehicle.

iii. For issuance of any other appropriate writ(s), order(s), or direction(s), which this Hon'ble Court may deem just and proper in the interest of justice, equity, and fair play.”

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

