

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10049 of 2025

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Pramila Devi Wife of Suresh Ram Resident of Village- Gandbarpa, P.O.-
Keelpur, P.S.- Guthani, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Prohibition and Excise, Govt. of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Sub-Divisional Officer, Hathua, Distt.- Gopalganj.
4. The Superintendent of Police, Gopalganj.
5. The Officer-in-Charge, Mirganj Police Station, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhramveer, Advocate
For the Respondent/s : Mr.Standing Counsel (01)

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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 : 31-07-2025

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

“That this Civil Writ is being filed on behalf of the petitioner for direction upon the Respondents to release the seized Hero Splender Motorcycle of the petitioner bearing, Reg. No.BR29AZ-3099, Chesis No. MBLHAW210PHF09321, Engine No.HA11E7PH F46152, which is seized in connection with Mirganj P.S. Case No. 35 of 2025, dt. 20.1.2025, U/S 30 (a) of Bihar Prohibition & Excise Amendment Act, 2022 and U/S 317 (5) of BNS 2023.”

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)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.08.2025
Transmission Date	NA

