

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13378 of 2025

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Arun Yadav, Son of Sri Mahagu Yadav, Resident of Village- Devari Pipralatif,
P.S.- Parvata, District- Khagaria, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. The Principal Secretary, Home Department Government of Bihar, Patna.
3. The District Magistrate, Bhagalpur.
4. The Superintendent of Police, Bhagalpur.
5. The S.H.O., Police Station, P.S.- Parbatta, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Chandan Kumar Kashyap, Advocate
For the State	:	Mr. Sunil Kumar Mandal, SC-3
		Ms. Neelam Kumari, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

2 25-08-2025 The counter affidavit filed on behalf of the

Respondents is accepted.

2. The petitioner has prayed for the following relief:-

“ That this writ application is preferred on behalf of the above named petitioner for issuance of appropriate writ in nature of mandamus commanding the respondent authorities to release vehicle Model Tata 709 Ex Truck bearing Reg. No. BR10G9455, Engine No. 497TC96FWY831845 and CH. No. MAT453131D8F18957 in favour of petitioner which has been seized by respondent's authorities



in connection with Parbatta P.S Case No. 18 of 2021 and Special Excise No. 229 of 2021 under Section 30(a) of the Bihar Prohibition and Excise Act 2018.”

3. The confiscation proceedings has attained finality, therefore, petitioner has the remedy of appeal before the Appellate Authority under Section 92 and further, revision under Section 93 of Bihar Prohibition and Excise Act, 2016. Therefore, he is permitted to invoke remedy of appeal before the Appellate Authority.

4. The Appellate Authority is requested to decide the petitioner's memorandum of appeal within a period of three months from the date of receipt of such appeal to be filed on behalf of the petitioner.

5. Accordingly, the present CWJC No. 13378 of 2025 stands disposed of.

(P. B. Bajanthri, J)

(Shailendra Singh, J)

Maynaz/Rajiv-

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