

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12552 of 2025

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Ankit Son of Pawan, Resident of Village- Silothi, Police Station- Bahadur Garh, District- Jhajjar (Haryana).

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Registration, Prohibition and Excise, Government of Bihar, Patna.
2. The Collector / District Magistrate, Gopalganj, District- Gopalganj.
3. The Excise Superintendent, Gopalganj, District- Gopalganj.
4. The Superintendent of Police, Gopalganj, District- Gopalganj.
5. The Officer-in-charge of Kuchaikote Police Station, Police Station- Mohammadpur, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Advocate
For the Respondent/s : Mr.Ajit Anand, AC to GP-13

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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 : 12-08-2025

In the instant Writ petition, petitioner has prayed
for the following reliefs:-

“(i) An appropriate writ in Mandamus directing the respondents to release the Hyundai Aura car bearing registration no. HR 63 F 1720, Chassis no. MALB241CLRM253701, Engine No. G4LAPM815778, which is seized and registered the case bearing Mohammadpur Police Station



case no. 82 of 2025 under section 30(a) of Bihar Prohibition and Excise (Amendment) Act 2022.

(ii) Any other writ / writs, order / orders or direction / directions as the facts and circumstances of the case may require and deemed fit by this Hon'ble Court may also be issued."

2. In support of 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 present writ petition for writ of mandamus is not maintainable or it is pre-mature. Accordingly, the present petition stands disposed of as pre-mature.

4. Disposal of the present 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. If the confiscation of the vehicle has attained finality, in that event, petitioner is at liberty to prefer an appeal before the appropriate authority.

6. With the above observation, the present 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	13.08.2025
Transmission Date	NA

