

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15230 of 2025

Naresh Kumar @ Naresh, Son of Sri Sukhdeo Chaudhary, Resident of- H. No. 762- 763 and 764, 2 N PKT, Sector A- 10, Punrwas Colony, Narela North, North Delhi, In-front of Raja Harishchandra, Delhi, P.S.- Narela, District-North West Delhi.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
3. The Collector-cum-District Magistrate, East Champaran, Motihari.
4. The Superintendent of Police, East Champaran, Motihari.
5. The S.H.O., Mehsi, P.S. District- East Champaran, Motihari.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Bijay Prakash Singh, Advocate
For the State	:	Mr. Sitaram Yadav, GP-16
		Mr. Yatindra Narayan, AC to GP-16

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

2 27-11-2025 It appears that the vehicle (truck) bearing Registration No. DL 1 GE 2259 has been seized in connection with Mehsi P.S. Case No. 277 of 2023 registered for the offences punishable under Sections 272, 273, 420, 467, 468, 471 of the Indian Penal Code and Sections 30(a), 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

2. As per the First Information Report, the vehicle in question was involved in transportation of 5631.960 liters of I.M.F.L.



3. Learned counsel for the petitioner submits that the petitioner has not received any notice or information with respect to the confiscation proceeding in connection with this case and in absence of any final order in the confiscation proceeding, the seized vehicle is lying at Mehsi Police Station under open sky and the same is getting damaged day-by-day.

4. From the averments made in the writ application, it appears that the seizure had taken place on 24.08.2023. This writ application has been preferred after two years of the seizure of the vehicle directly without approaching the Confiscating Authority/ Competent Authority.

5. In such circumstance, this Court would decline to entertain the writ application. It is dismissed with liberty to the petitioner to seek his remedy, if any, available to him in accordance with law.

(Rajeev Ranjan Prasad, J)

(Sourendra Pandey, J)

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