

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14190 of 2025

Vinod Kumar, S/o Mahabir Singh @ Mahavir Prasad, R/o J.H./8, Paschim Vihar, Behind Sarang Cinema, Jwalapuri, Sunder Vihar, Punjabi Bagh, West Delhi, Delhi- 110087.

... .. Petitioner

Versus

1. The State of Bihar through the Commissioner Excise Department, State of Bihar Patna.
2. The Director General of Police, Bihar Patna.
3. The Collector cum District Magistrate, Kaimur at Bhabua.
4. Superintendent of Police, Kaimur at Bhabua.
5. Superintendent of Excise Prohibition, Kaimur at Bhabua.
6. Sub-Divisional Magistrate, Bhabua (Kaimur).
7. Inspector of Excise Police Station, Kaimur at Bhabua.

... .. Respondents

Appearance :

For the Petitioner : Mr. Tribhuwan Narayan, Advocate
For the Respondents : Mr. Mujtabaul Haque, GP-12

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and

HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

2 17-11-2025 This writ application seems to be misconceived. In earlier round, the petitioner had filed CWJC No. 1472 of 2025 which was disposed of *vide* order dated 19.03.2025 granting liberty to the petitioner to file an appeal before the Appellate Authority within a period of one month from the said date. An interim order was also passed that if such an appeal is filed within the prescribed period, the concerned respondents were not to proceed with the auctioning with the subject matter of the vehicle till disposal of the appeal.

2. It appears that instead of preferring an appeal against



the order of confiscation, the petitioner approached the District Magistrate-cum-District Officer, Kaimur at Bhabua in Misc. Case No. 10 of 2025 and prayed therein for release of the vehicle without imposing any fine. He also prayed for setting aside the order of the Sub-Divisional Magistrate, Bhabua passed on 30.11.2024 in Excise Confiscation Case No. 643 of 2024.

3. We have gone through the order dated 03.07.2025 passed in Misc. Case No. 10 of 2025. It appears to this Court that the application filed before the District Magistrate, Kaimur (Bhabua) giving rise to Misc. Case No. 10 of 2025 was misconceived and was not in tune with the order of this Court passed in CWJC No. 1472 of 2025.

4. In the given facts and circumstances, we do not entertain this writ application. Liberty granted to the petitioner in the earlier order of this Court in CWJC No. 1472 of 2025 shall remain and it will be open to the petitioner to avail his remedy in terms of the said order within four weeks from today.

5. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

(Jitendra Kumar, J)

SUSHMA2/-

U			
---	--	--	--

