

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1465 of 2025

Sunil Kumar Sharma Son of Ramesh Chand, Resident of H. No. 103, D Block, Street No. 2, West Kamla Vihar, P.S.- Karawal Nagar, North East Delhi, Delhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Kaimur at Bhabhua.
3. The Sub Divisional Magistrate, Mohania, Kaimur.
4. The Assistant Excise Commissioner, Kaimur at Bhabhua.
5. The Superintendent of Excise, Kaimur at Bhabhua.
6. The Vehicle Inspector, Kaimur at Bhabhua.
7. The Superintendent of Police, Kaimur at Bhabhua.
8. The Assistant Sub Inspector of Police, Mohania Police Station, Kaimur at Bhabhua.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar Singh, Advocate
For the Respondent/s : Mr.Sudhir Kumar Singh, Advocate

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 : 10-04-2025

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

“(i) For quashing of the order dated 02.12.2024 passed in Exice Case No. 44 of 2024 passed by Sub-Divisional Magistrate, Mohania, Kaimur as contained in Memo No. Exice Case No.-44/2024 1385/Law dated 02.12.2024 whereby and where under petitioner's Tata LPT Truck vehicle, bearing its Registration Number as UP-17BT-3040, Chassis No. MAT785005N7N26979 and Engine No.



3.3LNGD06NXX533978 which has been got seized in connection with Mohania P.S Case No. 718 of 2023 registered for the offences punishable under sections 30(a), and 47 of the Bihar Prohibition and Excise Act, 2016 on 11.10.2023, seized for the alleged violation of Excise Laws without having recovered any illicit liquor from petitioner's vehicle, has been directed to be confiscated and auction sale of the vehicle has been directed to be conducted within a period of 2 months.

Also

(ii) For release of petitioner's Tata LPT Truck vehicle, bearing its Registration Number as UP-17BT-3040, Chassis No. MAT785005N7N26979 and Engine No. 3.3LNGD06NXX533978 which has been got seized in connection with Mohania P.S Case No. 718 of 2023 registered for the offences punishable under sections 30(a), and 47 of the Bihar Prohibition and Excise Act, 2016 on 11.10.2023, seized for the alleged violation of Excise Laws without having recovered any illicit liquor from petitioner's vehicle.

And

(iii) Also for restraining the respondent authorities from initiating auction sale of petitioner's Tata LPT Truck vehicle, bearing its Registration Number as UP-17BT-3040, Chassis No. MAT785005N7N26979 and Engine No. 3.3LNGD06NXX533978 which has been got seized in connection with Mohania P.S Case No. 718 of 2023.

And

(iv) Also for any other relief/reliefs for which the petitioner is found entitled in the eye of law.”

2. Learned counsel for the petitioner, on instruction, submitted that petitioner has to invoke the remedy of appeal before the appellate authority. Therefore, the present writ petition is not pressed.



2. Accordingly, the present petition is dismissed as not pressed.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.04.2025
Transmission Date	NA

