

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1377 of 2023

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Sobha Devi Wife of Khajanchi Sahni Resident of Village- Majhariya, P.S.-
Piprakothi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department,
Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate, East Champaran.
3. The Superintendent of Police, East Champaran.
4. The Addl. Collector Cum Public Grievance Redressal Officer, Areraj.
5. The S.H.O., Piprakothi, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh
For the Respondent/s : Mr.Vikash Kumar (Sc11)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

7 19-01-2026 Though the present writ petition has been filed for

release of the residential house of the petitioner appertaining to

Khesra No.- 240, admeasuring 4 katha 10 dhurs situated at

Mauja- Majharia, P.S.- Piprakothi, District- East Champaran,

which has been seized in connection with Piprakothi P.S. Case

No. 435 of 2020 dated 31.12.2020, registered under Sections

272 & 273 of the Indian Penal Code and Section 30(a) of the

Bihar Prohibition & Excise Act, 2016, however since the

respondent-State has brought on record an order dated



14.10.2022, passed by the learned Court of Collector-cum-Sub-Divisional Public Complaint Redressal Officer, Areraj in Excise Confiscation Case No. 738 of 2022, whereby and whereunder direction has been issued for confiscating the premises of the petitioner and auctioning the same, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the said order dated 14.10.2022 by filing appropriate appeal under Section 92 of the Bihar Prohibition and Excise Act, 2016, however submits that the order of status quo dated 02.02.2023, passed in the present case be continued till final disposal of the appeal to be filed by the petitioner.

3. Having regard to the facts and circumstances of the case, we deem it fit and proper to grant liberty to the petitioner to file appropriate appeal and in case such an appeal is filed within a period of four weeks from today, the Competent Authority/Appellate Authority shall consider the same on merits without being impeded by the issue of limitation and pass a reasoned and a speaking order thereon, in accordance with law within a period of six weeks, thereafter and till then the order of status quo dated 02.02.2023 shall be maintained, however it is clarified that in case no appeal is filed within a period of four weeks from today, the respondent-State authority shall be at



liberty to auction sale the premises in question.

4. Accordingly, the present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

(Praveen Kumar, J)

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