

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3001 of 2026

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Gautam Yadav S/o Surajman, R/o -TilaiBelwa, Post - Deoria, P.S. - Deoria,
District - Deoria Uttar Pradesh 274001.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Excise and Prohibition Department
Gov. of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate, Siwan, Bihar
4. The Superintendent of Police, Siwan, Bihar
5. The Sub-Divisional Officer, Siwan Bihar
6. The Superintendent of Excise, Siwan, Bihar
7. The SHO, Maharajganj Excise Police Station, Siwan, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Majid Mahboob Khan, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha, GA-7

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

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

2 23-02-2026 Though the present writ petition has been filed

challenging the order dated 08.12.2025 passed by the Ld. Court
of District Panchayat Raj Officer, Siwan in Excise Act Case No.
932 of 2025, whereby and whereunder it has been directed to
release the truck of the petitioner bearing Registration No.
UP52T9479, upon payment of penalty to the tune of 35% of its
newest insurance value in connection with Maharajganj Excise
P.S. Case No. 155 of 2025, registered under Sections 30(a) and



32(3) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as the 'Act, 2016'), however at the outset, the Ld. Counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the said order dated 08.12.2025, by filing appropriate appeal under Section 92 of the Act, 2016. Liberty, so sought, is granted.

2. It is needless to state that in case appropriate appeal is filed within a period of five weeks from today, the appellate authority shall consider the same on merits without being impeded by the issue of limitation and pass a reasoned and a speaking order, in accordance with law, within a period of four weeks thereafter.

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

(Mohit Kumar Shah, J)

(Alok Kumar Pandey, J)

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