

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2993 of 2026

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Suryabhan Rai Son of Subhash Chandra Rai, Resident of Village-
Jogamusahib, P.S.-Karimuddinpur, District-Gajipur (Uttar Pradesh).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Buxar.
3. The Superintendent of Police, Buxar.
4. The Superintendent of Prohibition Excise, Buxar.
5. The Station House Officer Excise Buxar Police Station, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sarfraz Ahmad,Advocate Mr. Sonu Singh, Advocate Mr. Suraj Raj, Advocate
For the Respondent/s	:	Government Advocate (2)

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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 20.01.2026 passed by the Ld.

Collector-cum-District Magistrate, Buxar in Confiscation Case

No. 426 of 2025, whereby and whereunder the Tata Safari

vehicle of the petitioner bearing Registration No. UP-70DM-

3777, has been directed to be confiscated in connection with

Buxar Excise P.S. Case No. 354 of 2025, registered under

Section 30(a) of the Bihar Prohibition and Excise Act, 2016

(hereinafter referred to as the ‘Act, 2016) on account of



recovery of 127.62 litres of illicit liquor from the said vehicle, however at the outset, the Ld. Counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the said order dated 20.01.2026, 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 four weeks from today, the appellate authority shall examine 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. It is directed that in case appropriate appeal is filed within a period of four weeks from today, the vehicle in question shall not be auctioned.

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

(Mohit Kumar Shah, J)

(Alok Kumar Pandey, J)

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