

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3649 of 2026

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Suraj Prasad S/o Surendra Prasad R/o Village- Chhittupur, P.S.- Lanka,
District- Varansi (U.P.).

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Respondent/s : Mr. Rajesh Roy, AC to SC-22

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

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

2 16-03-2026 Though the present writ petition has been filed for setting aside the order dated 17.06.2025, passed by the learned Commissioner Excise, Bihar, Patna in Appeal Case No.70 of 2025 whereby and whereunder the appeal has been dismissed as also for setting aside the order dated 02.04.2025, passed by the learned Sub-divisional Magistrate, Bhabua (Kaimur) in Excise (Vehicle Confiscation) Case No.171 of 2025 whereby and whereunder direction has been issued to confiscate the vehicle



of the petitioner i.e. Tata Magic bearing Registration No.UP65PT-1970, which has been seized in connection with Kaimur (Prohibition) P.S. Case No.937 of 2024 dated 12.12.2024, registered under Sections 30(a), 32(i), 32(iii), 41(1) and 41(2) of the Bihar Prohibition and Excise Act, 2016 on account of recovery of 450 liters of illicit liquor, however at the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 17.06.2025 passed by the learned Commissioner Excise, Bihar Patna by filing appropriate revision petition under Section 93 of the Bihar Prohibition and Excise Act, 2016. Liberty so sought is granted.

2. It is needless to state that in case appropriate revision petition is filed by the petitioner, within a period of four weeks from today, the revisional authority shall consider the same on merits and pass a reasoned and a speaking order in accordance with law, within a period of four weeks, thereafter.

3. The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

(Arun Kumar Jha, J)

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