

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8785 of 2025

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Avakash Kumar S/o - Krishna Kumar Mahto, r/o- Gotiyahi, ward no.- 07,
Reora, P.S.- Khanpur, Samastipur, Bihar- 848117.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Patna, Bihar.
2. The Excise Commissioner, Prohibition, Excise and Registration Department, Govt. of Bihar, Patna.
3. The District Transport Officer, Samastipur.
4. The Superintendent of Excise, Samastipur.
5. The District Magistrate, Samastipur.
6. The DCLR, Samastipur.
7. The Superintendent of Police, Samastipur.
8. The Officer-in-Charge, Warisnagar Police Station, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey, Advocate
For the Respondent/s : Mr.Standing Counsel (28)

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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)

3 02-02-2026 Though the present petition has been filed

challenging the order dated 05.03.2024 passed by the learned

court of Deputy Collector Land Reforms, Samastipur in

Confiscation (Excise) Case No. 91 of 2023-24 arising out of

Mathurapur O.P. P.S. Case No. 343 of 2023, however at the

outset, the learned counsel for the petitioner seeks liberty on

behalf of the petitioner to not only challenge the said order



dated 05.03.2024 by filing appropriate appeal under Section 92 of the Bihar Prohibition and Excise Act, 2016 but also seeks liberty to file appropriate petition before the competent authority under Rule 12-A of the Bihar Prohibition and Excise (Amendment) Rules, 2023 for release of vehicle upon payment of penalty. Liberty so sought is granted.

2. Accordingly, the present petition stands disposed of.

(Mohit Kumar Shah, J)

(Alok Kumar Pandey, J)

alok/k.c.jha

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