

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4846 of 2026

Chandra Kishor Mandal Son of Late Sri Prasad Mandal @ Khattar Mandal,
resident of village Lakshmipur Bhagwati, P.S. Srinagar, District Madhepura.
... .. Petitioner/s

Versus

1. The State of Bihar through Excise Commissioner, Govt. of Bihar, Patna.
 2. The Collector-cum-District Magistrate Madhepura.
 3. The Superintendent of Police, Madhepura.
 4. The Excise Superintendent, Madhepura.
 5. The Station House Officer, Sri Nagar Police Station, District Madhepura.
- Respondent/s

Appearance :

For the Petitioner/s : Mr. Rishi Sinha, Advocate
Ms.Pooja Prasad, Advocate
For the Respondent/s : AC to SC-9

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

2 22-04-2026 The petitioner in this case has invoked the extraordinary writ jurisdiction of this Court under Article 226 of the Constitution of India for setting aside the order of confiscation of the land-cum-house of the petitioner.

2. It appears that from the premises in question police has recovered five liters of country made liquor and manufacturing articles as per the seizure list.

3. In the confiscation proceeding, the petitioner had appeared and filed his written statement which has been considered and then the order of confiscation has been passed.

4. Learned counsel for the petitioner is unable to



demonstrate that the order suffers from jurisdictional error or that it is in the breach of the principles of natural justice.

5. In the aforesaid view of the matter, we are of the opinion that the petitioner, if so advised, may avail the alternative remedy of statutory appeal before the competent forum. If any such appeal is preferred within a period of thirty days from today, the same will be considered by the competent authority keeping in view that under some *bonafide* legal advice the petitioner has approached this Court and the matter remain pending in this Court since the filing of the writ application on or about 13.03.2026. The appeal shall be heard on its own merit.

6. The petitioner will be at liberty to make an application for unsealing of the premises during pendency of the appeal which shall also be considered by the appellate authority within a period of two weeks from the date of filing of the application/appeal, as the case may be.

7. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

(Soni Shrivastava, J)

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