

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6276 of 2025

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Dipu Kumar son of Late Ashok Das, Sole Proprietor Jai Mata Di Enterprises,
Resident of Ward No. 31, Gali GandhiNagar, near Durga Mandir, P.S. Town,
Distt.-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Govt. of Bihar, Patna.
2. The Commissioner, Excise Department, Govt. of Bihar, Patna.
3. The Collector cum District Magistrate, Kaimur at Bhabhua.
4. The Sub Divisional Magistrate, Bhabhua (Kaimur).
5. The Excise Superintendent, Kaimur at Bhabhua.
6. The SHO cum Inspector Prohibition, Excise P.S. Kaimur at Bhabhua.
7. The Superintendent of Police, Kaimur at Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Deepak Kumar, Advocate
For the State	:	Mr. Sita Ram Yadav, GP-16
		Mr. Rakesh Kumar Shrivastava, AC to GP-16

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

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

5 21-01-2026 Though the present writ petition has been filed for

quashing of the order dated 28.08.2024, passed in Excise

(Confiscation) Bhabua (Kaimur) Case No. 94 of 2024 by the

learned Sub-Divisional Magistrate, Bhabua (Kaimur), whereby

and whereunder the petitioner has been directed to deposit a fine

of Rs. 5,00,000/- (rupees five lacs) + a sum of Rs.15,000/-

(rupees fifteen thousand) in favour of B.S.B.C.L. in order to get



the vehicle in question released in his favour, which arises out of Kaimur (Bhabua) Prohibition P.S. Case No. 759 of 2023 dated 10.11.2023, lodged under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2016, however, the learned counsel for the petitioner as also that of the respondent-State jointly submit that in pursuance to the earlier order of this Court dated 02.07.2025, the vehicle in question has been released in favour of the petitioner.

2. At this juncture, it would be apt to reproduce paragraph no. 2 of the said order dated 02.07.2025 hereinbelow:-

“2. In the meanwhile, respondents are hereby directed to release the subject matter of the vehicle in favour of the petitioner after due verification of ownership, such release of the subject matter of the vehicle is subject to outcome of the criminal proceedings.”

3. The Ld. Counsels for the parties are in agreement that since the vehicle in question has already stood released in favour of the petitioner, the order dated 02.07.2025 be made absolute however, such release be made subject to the outcome of the connected criminal proceedings, as aforesaid. It is directed accordingly.

4. It is needless to state that the petitioner shall not alienate the aforesaid vehicle bearing Registration No. JH01CX4009,



Engine No. 4018289, Chassis No. MCAAJPBY5JFA26698, in
any manner till the final disposal of the criminal proceedings.

5. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

(Praveen Kumar, J)

S.Sb/-

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