

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17685 of 2025

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Guddu Chaudhary Son of Dharmendra Chaudhary, resident of Village-Rasen,
P.S.-Rajpur, District-Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principle Secretary, Excise Department, Govt. of Bihar, Patna.
2. The Director General of Police, Govt. of Bihar, Buxar.
3. The Excise Commissioner of Buxar, x
4. The District Magistrate cum Collector, Buxar.
5. The Superintendent of Police, Buxar.
6. The Superintendent of Excise, Buxar.
7. The Officer in Charge Rajpur Police Station, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prabhat Kumar Singh, Advocate Ms. Priya, Advocate
For the Respondent/s	:	Mr. Ajay Kumar, A.C. to G.P.4

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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)

3 22-01-2026 The present petition has been filed by the petitioner for release of Pulsar motorcycle bearing Registration No. BR24AM7854 and Vivo V29 mobile which have been seized in connection with Rajpur P.S. Case No. 180 of 2024 dated 13.06.2024 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

2. At this juncture, the learned counsel for the respondent-State has referred to the counter-affidavit filed in the



present case to show that the learned Court of Sub-Divisional Officer, Buxar Sadar has already passed the final order dated 18.02.2025 in Case No. 104/2024/277/2024 whereby and whereunder an order for confiscating the motorcycle of the petitioner and other vehicles has been passed and it has also been ordered that the said vehicles be put on auction sale.

3. In response, the learned counsel for the petitioner submits that no notice was given to the petitioner and behind his back the aforesaid order dated 18.02.2025 has been passed, hence the petitioner be granted liberty to challenge the same by filing appeal under Section 92 of the Bihar Prohibition and Excise Act, 2016. Liberty, so sought, is granted.

4. It is needless to stated that in case appropriate appeal is filed within a period of four weeks from today before the appellate authority, the same shall be considered on merits and a reasoned and a speaking order shall be passed thereon in accordance with law within a period of four weeks, thereafter. However, it is clarified that in case the petitioner files appropriate appeal within a period of four weeks from today, the vehicle in question shall not be auctioned till the final disposal of the appeal.

5. Accordingly, the present writ petition stands



disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

(Praveen Kumar, J)

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