IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20840 of 2025

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Arpan Kumar Son of Kapileshwar Chaudhay, Resident of Village Shivnandanpur, Ward no 01, PO Muktapur, PS Kalyanpur, District Samastipur.

... ... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Excise and Prohibition, Government of Bihar, Patna.
3. The Commissioner, Department of Excise and Prohibition, Government of Bihar, Patna.
4. The Deputy Commissioner, Excise and Prohibition, Government of Bihar, Patna.
5. The Deputy Collector, Land Reforms, Banka.
6. The Excise Superintendent, Banka.
7. The Station House Officer, Dhankund Police Station, Banka.

... ... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Akhilesh Dutta Verma, Advocate
For the Respondent/s : Mr.Standing Counsel (28)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

3 16-02-2026 Thought the present writ petition has been filed for quashing the order dated 11.02.2025, passed by the Deputy Collector, Land Reforms, Banka in Confiscation (Prohibition) Case No.75 of 2024-25, arising out of Dhankund P.S. Case No.103 of 2024 dated 15.10.2024, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 on account

of recovery of 414.72 liters of illicit liquor from the vehicle bearing Registration No.BR33GB-5672, Chassis No. MA1ZN2TNKN6G36378, Engine No.TNN4F90649 whereby and whereunder the vehicle in question has been directed to be confiscated under Section 58 of the Bihar Prohibition and Excise Act, 2016 as amended upto date (hereinafter referred to as “the Act, 2016”) as also for quashing the appellate order dated 30.07.2025, passed by the Commissioner, Excise, Bihar, Patna in Excise Appeal Case No.106 of 2025, however at the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid appellate order dated 30.07.2025 by filing appropriate revision petition under Section 93 of the Act, 2016, but he seeks some protection during the interregnum period. Liberty so sought is granted.

2. It is needless to state that in case appropriate revision petition is filed within a period of two weeks from today, the revisional authority shall consider the same on merits without being impeded by the issue of limitation and pass a reasoned and a speaking order in accordance with law within a period of four weeks, thereafter.

3. Since the learned counsel for the respondent has submitted that the vehicle in question has not yet been

auctioned, we direct that in case appropriate revision petition is filed by the petitioner within a period of two weeks from today, the vehicle in question shall not be auctioned till the disposal of the revision petition.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

(Sunil Dutta Mishra, J)

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