

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.20922 of 2025**

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Kamlesh Paswan S/o Baristar Paswan, R/o Village-Akodhi, P.S. Mohania,  
District Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Excise Department, Patna.
2. The Collector cum District Magistrate, Kaimur at Bhabua.
3. Sub-Divisional Officer, Bhabua, Kaimur at Bhabua.
4. Sub-Divisional Officer, Mohania, Kaimur at Bhabua.
5. The Superintendent of Police, Kaimur at Bhabua.
6. The Superintendent of Excise Prohibition, Kaimur at Bhabua.
7. The Station Head Officer, Ramgarh Police Station, Kaimur at Bhabua.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.  
For the Respondent/s : Mr. Additional Advocate General (12)

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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)**

2      12-01-2026                      At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the order dated 30.06.2025, passed by the Sub-Divisional Magistrate, Mohania (Kaimur) in Excise (Vehicle Confiscation) Case No. 39 of 2025, whereby and whereunder the petition filed by the petitioner under Rule 12(A) of the Bihar Prohibition and Excise (Amendment) Rules, 2023 for release of Innova Car has been rejected, by filing appropriate



appeal.

2. The learned counsel for the respondent-State has got no objection.

3. Having regard to the facts and circumstances of the case, we deem it fit and proper to grant liberty to the petitioner to file appropriate appeal under Section 92 of the Bihar Prohibition and Excise Act, 2016 and in case appropriate appeal is filed within a period of three weeks from today, the same would be adjudicated on merits without the appellate authority being impeded by the issue of limitation and a reasoned and speaking order, in accordance with law, shall be passed within a period of six weeks thereafter.

4. Accordingly, the present writ application stands disposed of on the aforesaid terms.

**(Mohit Kumar Shah, J)**

**( Praveen Kumar, J)**

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