

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1270 of 2026

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Lokesh Kumar Son of Awadesh Singh Kushwaha, Resident of village Mahuar,
PS Kaimur, District Kaimur Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Kaimur (Bhabua).
3. The Superintendent of Police, Kaimur (Bhabua).
4. The Superintendent of Prohibition, Kaimur (Bhabua).
5. The Station House Officer, Excise Police Station, Kaimur (Bhabua).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sarfraz Ahmad, Advocate. Mr. Sonu Singh, Advocate.
For the Respondent/s	:	Mr. Subhash Chandra Mishra, SC-16.

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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 Though the present writ petition has been filed for setting aside the order dated 18.10.2025 passed by the learned District Magistrate, Kaimur at Bhabua in Kaimur Excise P.S. Case No.541 of 2025 lodged under Sections 30(a), 32(i)(3) and 41(i)(ii) of Bihar Prohibition and Excise (Amendment) Act, 2022 (hereinafter referred to as “Act, 2016) against the petitioner on account of recovery of 180 litres of illicit country made liquor from the Mahindra Scorpio vehicle of the petitioner bearing Registration No. UP64S3686.

2. However, at the outset learned counsel for the



petitioner seeks liberty on behalf of the petitioner to assail the said order dated 18.10.2025 by filing appropriate appeal under Section 92 of the Bihar Prohibition and Excise Act, 2016.

3. Liberty so sought is granted.

4. It is needless to state that in case appropriate appeal is filed by the petitioner within a period of four weeks from today, the learned Appellate Authority shall examine 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.

5. Accordingly, the present writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

(Sunil Dutta Mishra, J)

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