

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8662 of 2025

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Bimla Devi, Wife of Balistar Singh, Resident of Village- Kakarkund, P.S.-
Manjhagarh, District- Gopalganj.

... .. Petitioner.

Versus

1. The State of Bihar through the Principal Secretary, Department of Prohibition and Excise, Govt. of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Addl. Collector, Gopalganj.
5. The Officer-in-Charge, Gopalganj Town Police Station, Dist.- Gopalganj.

... .. Respondents.

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Appearance :

For the Petitioner : Mr. Dhramveer, Advocate.
For the State : Mr. Standing Counsel (24).

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 21-08-2025

In the instant writ petition, the petitioner has prayed
for the following relief(s):

“For direction/ directions upon the
Respondents to release the seized
Hero Splender Plus motorcycle,
bearing Reg. No.BR28X7581, Chesis
No.mblhaw12xLHL22492, Engine
No.HA11EYLHL16621, which is
seized in connection with Gopalganj
Town P.S. Case No.761 of 2024,
dt.23.10.2024, U/S 30(a)/41(1) of
Bihar Prohibition & Excise



Amendment Act, 2022.”

2. Before filing of the instant writ petition, confiscation proceeding has been completed on 18.03.2025. In the result, the petitioner has parallel remedy of filing of appeal under Section 92 of the Bihar Prohibition and Excise Act, 2016 and further petitioner has remedy of filing revision under Section 93 of the Bihar Prohibition and Excise Act, 2016. That apart, the petitioner has remedy of filing application under Rule 12A of the Bihar Prohibition and Excise Rules, 2021 read with amended sub Rule 2 of Rule 12A in the year 2022 and 2023, insofar as release the subject matter of the vehicle. If the aforementioned statutory provisions are exercised, the concerned authority is hereby directed to expedite in deciding the proceedings under Rule 12A of the Bihar Prohibition and Excise Rules, 2021 read with amended sub Rule 2 of Rule 12A in the year 2022 and 2023 and so also appeal proceedings within a period of two months from the date of receipt of this order.

3. With the above observation(s), instant writ petition stands disposed of.

4. In the meanwhile, respondents are hereby directed to not to auction the subject matter of the vehicle till disposal of the memorandum of appeal to be filed on behalf of



the petitioner.

(P. B. Bajanthri, J)

(Shailendra Singh, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.08.2025.
Transmission Date	NA

