

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8518 of 2025

Arvind Kumar, Son of Rajeshwar Bhagat, resident of Village-Ujjain Lohiyar,
P.S.-Harsidhi, District-East Champaran.

... .. Petitioner

Versus

1. The State of Bihar through the Principle Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Principle Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
3. The Collector cum District Magistrate, East Champaran.
4. The Superintendent of Police, East Champaran.
5. The Superintendent of Excise, East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Respondent/s : Mr. Additional Advocate General (4)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 11-07-2025

On 10.07.2025, we have passed the following
order:-

“In the instant petition petitioner has sought for release of his vehicle which is alleged to have involved in the Excise Act.

2. Perusal of seizure memo, it is evident that liquor has been seized from the residential premises and not from the vehicle. Therefore, seizure of the vehicle prima facie is illegal and arbitrary on the part of the police officials.



*3. SHO, Raghunathpur Police Station, East Champaran, is hereby directed to appear in person tomorrow i.e. **11.07.2025 at 10.30.***

4. Copy of this order shall be furnished to the State counsel.”

2. Today, Ms. Alka Kumari, SHO, Raghunathpur Police Station, is present. She has submitted that she has reported on 14.06.2025, whereas the alleged incident is way back to 22.06.2024. Her predecessor namely Sri Vikash Kumar Paswan has been placed under suspension.

3. Be that as it may, S.H.O., Raghunathpur admitted that there is no seizure of liquor from the subject matter of vehicle bearing registration No. BR05AY5691. Therefore, S.H.O., Raghunathpur and her superiors are hereby directed to release the subject matter of vehicle within a period of two days from today. The petitioner shall cooperate in the confiscation proceedings and criminal proceedings arising out of Raghunathpur P.S. Case No. 61 of 2024, dated 22.06.2024 in future.

4. With the above observation, the present petition stands disposed of with litigation cost quantified at Rs. 10,000/- (Rs. Ten Thousand). Cost shall be paid to the petitioner within a period of 08 weeks from the date of receipt of this order. Cost



has been imposed for the reasons that there is a total inaction on the part of the seizing authority on 22.06.2024 insofar as seizure of the subject matter of vehicle to the extent that there is no seizure of liquor from the vehicle. Therefore, it is nothing but harassing the petitioner.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.07.2025
Transmission Date	NA

