

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12365 of 2025

=====

Pankaj Tiwari, Son of Jay Prakash Tiwari, Resident of Village- Budhawara,
P.S.- Doharighat, District Mau (U.P) At Present R/o Mohalla Nava Pura
Ahirauli, PS Doharighat, District Mau (U.P).

... .. Petitioner

Versus

1. The State of Bihar through the Secretary Prohibition Excise and Registration Department, Govt. of Bihar, Patna.
2. The Additional Secretary, Prohibition Excise and Registration Department, Govt. of Bihar, Patna.
3. The Excise Commissioner, Prohibition Excise and Registration Department, Govt. of Bihar, Patna.
4. The District Magistrate, Bhojpur at Ara.
5. The Additional District Magistrate, Bhojpur at Ara.
6. The Senior Superintendent of Police, Bhojpur at Ara.
7. The S.H.O of Udwanthnagar Police Station, Bhojpur at Ara.
8. The Investigating Officer of Udwanthnagar, PS Case No 69/25 PS Udwant Nagar (Gajrajganj O.P).
9. The Prabhari (O.P Gajrajganj), Bhojpur at Ara.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Singh, Advocate Mr.Ravi Shankar Pathak, Advocate
For the Respondent/s	:	Mr.Ravish Chandra, AC to SC-11

=====

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 : 08-08-2025

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

*(I) For issuance of writ in the nature
of Mandamus directing the respondents to release*



of the vehicle bearing Registration No. UP 53DR 9991, Chassis No. MALPC 813LLM061381 Eng. No. D4FALM071983 in favour of the petitioner which is seized by the respondent police Officials in Connection with Udwantnagar P.S. Case No. 69/2025 dated 9.2.2025 registered for the offence U/S 30(a), 32(B) Bihar Prohibition and Excise Act which is pending in the court of learned Exclusive Special Excise Court II Bhojpur at Ara.

(II) For issuance of any other appropriate writ direction for which the petitioner is other wise entitled in the eye of law.”

2. Perusal of the seizure material, it is evident that there is not even drop of liquor has been seized from the petitioner's vehicle bearing Registration No. UP 53DR 9991, Chassis No. MALPC 813LLM061381 Eng. No. D4FALM071983. On the other hand, it was recovered from Tata ARIA vehicle bearing Registration No. UP66K-2450, Chassis No. MAT614007BRP03010, Engine No. 22LDICOR09NYYJ24559.

3. Therefore, prima facie Respondents have



unnecessarily seized the petitioner’s vehicle is involved for the offences under the Excise Act. Consequently, the concerned Respondent Police / Excise Officials are hereby directed to release the petitioner’s vehicle bearing Registration No. UP 53DR 9991, after verification of the records, within a period of two weeks from today, failing which petitioner is entitled to litigation cost and it is quantified at Rs. 10,000/- (Rs. Ten Thousand). Copy of this order shall be made available to the learned counsel for the State.

4. With the above observation, the present Writ petition stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

manish/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.08.2025
Transmission Date	NA

