

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13147 of 2025

=====

Chandan Kumar, Son of Shambhu Sah, Resident of village- Halwar,
Achhaibar Pipra, P.S.- Sidhwaliya, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Bihar, Patna.
2. The Principal Secretary, Department of Excise, Bihar, Patna.
3. The District Magistrate cum Collector, Gopalganj, Gopalganj.
4. The Superintendent of Police, Gopalganj, Gopalganj.
5. The Superintendent of Excise, Gopalganj, Gopalganj.
6. The Officer-in-Charge, Sidhwaliya Police Station, Gopalganj.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Udbhav, Advocate
For the Respondents State : Mr. Prabhat Kumar, AC to GA-11

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

and

HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

3 14-11-2025 Heard the learned counsel for the petitioner and

learned AC to GA-11 for the State.

2. Petitioner in the present case is seeking release of

the vehicle (Ola S1 Pro (Gen2) electric scooty) bearing

registration No. BR28AE3359 which has been seized and a case



bearing Sidhwaliya P.S. Case No. 82 of 2025 dated 24.04.2025 has been registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. It appears that the vehicle of the petitioner has been seized on the allegation that there is recovery of 16.560 litres of liquor from the vehicle.

4. Learned counsel for the State submits that the Superintendent of Police, Gopalganj has already recommended for initiation of a confiscation proceeding to the District Magistrate, Gopalganj.

5. In that view of the matter, the petitioner may approach the District Magistrate, Gopalganj or the authorized officer for release of the vehicle by making an application under Rule 12A of the Bihar Prohibition and Excise Rules, 2021 as amended vide Amendment Rules, 2022.

6. Having regard to the remedy available to the petitioner, we could not entertain this writ application. It is being disposed off with liberty to the petitioner to file an appropriate application for release of the vehicle in question before the District Magistrate, Gopalganj or an officer authorized by him for this purpose. If such an application is filed, the same will be considered, keeping in view the mandate



of the law. If such an application is filed within a period of 30 days from today, the same will be considered and disposed off within a period of another 30 days.

7. The writ application stands disposed off with the liberty aforesaid.

(Rajeev Ranjan Prasad, J)

(Sourendra Pandey, J)

manoj/-

U			
---	--	--	--

