

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17418 of 2025

Sanjay Sahni @ Sanjay Kumar Sahni, S/o Ram Naresh Sahni @ Ramnaresh Sahni, R/o Village Surajpur, Ward no 03, PO and PS Halai, District Samastipur, State Bihar 848505.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Samastipur, District- Samastipur.
3. The Superintendent of Police, Samastipur, District Samsatipur.
4. The Land Reforms Deputy Collector, Samastipur, District Samsatipur.
5. The Excise Superintendent, Samastipur, District Samastipur.
6. The Station House Officer, Excise Police Station Patori, District Samastipur.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Abhigyan Kumar, Advocate
For the Respondents	:	Mr. Subhash Prasad Singh, GA-3
		Mr. Indeshwari Prasad, AC to GA-3

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

2 01-12-2025 Heard learned counsel for the petitioner and learned
GA-3 for the State.

2. The petitioner in this case is seeking a direction for release of his vehicle, namely, Hero Splendor motorcycle bearing Registration No. BR-33BG-4732, Engine No. HA11E8RGF12758, Chassis No. MBLHAW230RGF05098 which has been seized in connection with Excise P.S. Patori Case No. 84 of 2025 dated 11.06.2025 registered for the offence



under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. It is submitted that altogether 8 litres of liquor has been recovered from the vehicle in question.

4. Learned counsel for the petitioner submits that a confiscation proceeding has been initiated, however, admittedly, the petitioner has not appeared before the Confiscating Authority seeking release of the vehicle.

5. On the other hand, a counter affidavit has been filed in which stand has been taken on behalf of the State respondents that in Confiscation Case No. 30 of 2025, the motorcycle in question can be released if the petitioner submits an application in Format-IV attached with requisite documents before the Presiding Officer (Excise)-cum-District Supply Officer, Samastipur in accordance with Rule 12A of the Bihar Prohibition and Excise Rules, 2021 (as amended up to date).

6. Having regard to the aforesaid stand of the State, we grant liberty to the petitioner to file an appropriate application before the competent authority as disclosed in paragraph '13' of the counter affidavit. If any such application is filed by or on behalf of the petitioner in the prescribed format with requisite documents, the competent authority shall consider



the same and pass an appropriate order thereon within a period of one month from the date of submission of the application.

7. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

(Sourendra Pandey, J)

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