

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17944 of 2025

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Pramod Kumar Singh, S/o Ramsagar Bhagat, R/o Village Siktiya Khas, P.S.-
Kateya, District-Gopalganj.

... .. Petitioner

Versus

1. The State of Bihar through Secretary Excise and Prohibition Department
Gov. of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate, Gopalganj, Bihar.
4. The Superintendent of Police, Gopalganj, Bihar.
5. The Superintendent of Excise, Gopalganj, Bihar.
6. The SHO, Kateya, Gopalganj, Bihar.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Rajnikant, Advocate
For the State : Mr. Chandra Shekhar Singh, AC to GA-10

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

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

2 10-12-2025 Heard learned counsel for the petitioner and learned
AC to GA-10 for the State of Bihar.

2. This writ application has been filed seeking a writ
in the nature of Mandamus directing the respondents to release
the vehicle (Hero Splendor Xtec Motorcycle) having
Registration No. UP57BU9905, Engine No.-
HA11E7RHJ28136 and Chassis No. MBLHAW213RHJ16509
which was seized in connection with Gopalganj, Kateya P.S.
Case no. 503 of 2024 registered under Section 317(5)/ 3(5) of
the Bharatiya Nyaya Sanhita and Section 30(a) of the Bihar



Prohibition and Excise (Amendment) Act, 2018.

3. It appears on perusal of the writ application that the vehicle in question has been seized after recovery of 9 liters of country-made liquor.

4. In the writ application, there is no averment that the petitioner has approached the Competent Authority in terms of the Rule 12A of the Bihar Prohibition and Excise Rules, 2021 which was inserted vide Amendment Rules, 2022 (hereinafter referred to as the 'Rules of 2021') for release of the vehicle in question.

5. We grant liberty to the petitioner to file an appropriate application in the prescribed form under Rule 12A of the Rules of 2021 within a period of 30 days from today. If such an application is filed, the Competent Authority shall pass an appropriate order thereon within one month from the date of filing of the application.

6. This writ application stands disposed of.

(Rajeev Ranjan Prasad, J)

(Sourendra Pandey, J)

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