

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17649 of 2025

Vivek Kumar Son of Shravan Chaudhary, Resident of Village- Nawanagar,
P.S. Bidupur, District- Vaishali.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Prohibition and Excise, Govt. of Bihar, Patna, Vikas Bhawan, New Secretariat, Patna.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Officer-in-Charge, Gopalganj Town Police Station, Distt- Gopalganj.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Dhramveer, Advocate
For the State	:	Mr. Yogendra Prasad Sinha, AAG-7
		Mr. Rajeev Kumar Sinha, AC to AAG-7

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

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

2 09-12-2025 Heard learned counsel for the petitioner and learned
AAG-7 for the State of Bihar.

2. The petitioner in this case is seeking a writ/writs, order/orders, direction/directions to the respondents to release the vehicle of the petitioner being Tata-AC Pickup having Registration No. BR01GN-2897, Engine No. 275CNG18KWXSE1107, Chassis No. MAT556013PVK60138.

3. The vehicle in question has been seized in connection with Gopalganj Town P.S. Case No. 485 of 2025 dated 27.06.2025 registered under Sections 30(a), 41(1) of the Bihar Prohibition and Excise Act, 2016 (as amended up to date). Altogether 675 litres of



liquors have been found under transportation on the vehicle in question.

4. It appears on perusal of the writ application that the petitioner has not approached the competent authority in accordance with Rule 12A of the Bihar Prohibition and Excise Rules, 2021 (as amended up to date).

5. Learned AAG-7 appears for the State. It is submitted that instead of availing an equally efficacious alternative statutory remedy, the petitioner has approached this Court.

6. Having regard to the aforesaid submissions, we are of considered opinion that the petitioner may avail his remedy under Rule 12A of the Rules of 2021 before the competent authority. If any such application with proposal in Form IV is filed before the competent authority within a period of 30 days from today, the same shall be considered and an appropriate order shall be passed thereon within one month from the date of filing of the application.

7. This writ application stands disposed of.

(Rajeev Ranjan Prasad, J)

(Sourendra Pandey, J)

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