

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18435 of 2025

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Laxman Goswami, Son of Ramchandra Goswami, Resident of Village-
Tetrahar Bind Toli, P.S. Sikraul, District Buxar.

... .. Petitioner

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, Buxar.
4. The Superintendent of Police, Buxar.
5. The Superintendent of Excise, Buxar.
6. The Officer-in-Charge Sikraul Police Station, District Buxar.
7. The Investigating Officer of Sikraul P.S. Case No. 101/25, Sikraul Police Station, District Buxar.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Ravi Shankar Pathak, Advocate
For the State : Mr. AC to AAG-4

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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 11-12-2025 Heard learned counsel for the petitioner and learned
AC to AAG-4 for the State of Bihar.

2. This writ application has been filed seeking release of the vehicle (Tempo) bearing Registration No. BR-44P-8379, Engine No. BBXWRD94181 Chassis No. MD2B45AX0RWD 13904 in favour of the petitioner which was seized in connection with Sikraul P.S. Case No. 101 of 2025 dated 04.09.2025 registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. It appears on perusal of the writ application that the



vehicle in question has been seized after recovery of 50 liters of country made liquor.

4. Having regard to the fact that the petitioner has not approached the Confiscating Authority/competent authority under Rule 12A of the Bihar Prohibition and Excise Rules, 2021 (as amended up to date) (hereinafter referred to as the 'Rules of 2021 (as amended up to date)'), we would not entertain this writ application.

5. The petitioner is at liberty to file an appropriate application in Proforma IV in terms of Rule 12A of the Rules of 2021 (as amended up to date) before the District Magistrate, Buxar (Respondent No. 3) or before an officer duly authorized by him. If such an application is filed within a period of 30 days from today, the same shall be considered by the competent authority and an appropriate order thereon shall be passed within one month from the date of filing of the application. Till that time, the vehicle in question shall not be auction sold.

6. This writ application stands disposed of.

(Rajeev Ranjan Prasad, J)

(Sourendra Pandey, J)

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