

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19078 of 2025

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Parshuram Rai Son of Kedar Rai, Resident of Village Gopalpur, PS Kateya,
District- Gopalganj, State- Bihar.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary Excise, Prohibition and Registration Department, Government of Bihar, Patna.
2. The Deputy Secretary, Excise, Prohibition and Registration Department, Government of Bihar, Patna.
3. The Collector, Gopalganj, District Gopalganj.
4. The Superintendent of Police, Gopalganj.
5. The Sub Inspector, Excise, PS Gopalganj, District Gopalganj.

... .. Respondents

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Appearance :

For the Petitioner	:	Ms. Priya Raj, Advocate Mr. Sandeep Kumar Mandal, Advocate
For the Respondents	:	Mr. Sanjay Kumar, AC to GP-23

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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 08-12-2025 Heard learned counsel for the petitioner and learned
AC to GP-23 for the State.

2. The petitioner in the present case is seeking release of the vehicle, namely, TVS motorcycle bearing Registration No. BR28AD2005, Chassis No. MD621BP2XP2D11552, Engine No. BP2DP2504699 which has been seized in connection with Excise Thana Gopalganj Case No. 395 of 2025 dated 09.07.2025 registered under Sections 30(a) and 32 of the Bihar Prohibition and Excise



(Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that as per the allegations, 45 litres of liquors have been found in transportation on the said motorcycle.

4. On query made by this Court, learned counsel submits that the petitioner has not approached the District Magistrate, Gopalganj or the competent authority conferred with power for release of the vehicle in question. It appears that the petitioner has directly moved this Court in its writ jurisdiction.

5. Learned AC to GP-23 for the State submits that in terms of Rule 12A of the Bihar Prohibition and Excise Rules, 2021 (as amended up to date), if the petitioner files an application before the District Magistrate/competent authority, the same would be considered in accordance with law.

6. Having regard to the aforesaid statements, we grant liberty to the petitioner to file an appropriate application with proposal in Form IV before the District Magistrate, Gopalganj/competent authority, as the case may be, within a period of 30 days from today.

7. If such an application and proposal for release is filed, the District Magistrate, Gopalganj/competent authority,



as the case may be, shall consider the same and pass an appropriate order thereon within one month from the date of filing of the application.

8. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

(Sourendra Pandey, J)

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