

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20194 of 2025

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Momtaj Alam, son of Rustam Miyan, resident of village-Janerwa ward no.11,
Police Station-Banjariya, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate, East Champaran at Motihari.
4. The Superintendent of Police, East Champaran at Motihari.
5. The Superintendent of Excise, East Champaran at Motihari.
6. The S.H.O. Sugauli Police Station, District-East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the State : Mr. AC to SC-18

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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 18-12-2025 Heard the learned counsel for the petitioner and

learned AC to SC-18 for the State of Bihar.

2. Petitioner in the present writ application is seeking

a writ in the nature of mandamus directing the respondent

authorities to release the vehicle Hero Splendor Plus Motorcycle

bearing registration No. BR05AY-8647, Chassis

No.MBLHAW229PHBB7460 and Engine No.

HA11E8PHB80101.

3. It appears that the vehicle in question has been



seized carrying 40 liters illicit Country made liquor and a case bearing Sugauli P.S. Case No. 453 of 2025, dated 24.08.2025 has been registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

4. It appears on going through the averments made in the writ application that the petitioner has not applied for release of the vehicle before the Competent Authority in terms of Rule 12A of the Bihar Prohibition and Excise Rules, 2021 (as amended up to date).

5. We grant liberty to the petitioner to file an appropriate application for release of the vehicle Hero Splendor Plus Motorcycle bearing registration No. BR05AY-8647. If such an application is filed within a period of 30 days from today, the Competent Authority shall consider the same and pass an appropriate order thereon within a period of one month from the date of filing of the application.

6. The writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

(Sourendra Pandey, J)

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