

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20430 of 2025

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Sonu Kumar S/o Rameshwar Saw, Resident of village- Panchu Sudi Tola
Hisua, P.S.- Hisua, District- Nawada.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The District Magistrate, Nawada.
5. The Excise Superintendent of Police, Nawada.
6. The Station Head Officer, Police Station, Hisua, Nawada.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Krishna Deo Raj, Advocate
For the Respondents : Mr. Braj Bhushan Mishra, AC to AAG-9

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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 19-12-2025 Heard learned counsel for the petitioner and learned
AC to AAG-9 for the State.

2. The petitioner in this case is seeking a direction to the Respondent Authorities to release the motorcycle Scooty bearing Registration No. BR27U-8593 which has been seized in connection with Hisua P.S. Case No. 466 of 2025 registered for the offence alleged under Section 30(a) of the Bihar Prohibition and Excise Act, 2016. It is alleged that 70.500 litres of Engine Beer has been recovered from the said



vehicle.

3. In the writ application, the petitioner has stated that till date, no confiscation proceeding has been initiated. He has further stated that when he approached the concerned respondent authority to pay fine, the concerned authority assessed exaggerated amount which is not as per the provision of the Rules.

4. Learned AC to AAG-9 for the State submits that save and except a bald statement of the petitioner that he had approached the concerned respondent authority, there is no material on the record to show that he had filed any application in the prescribed proforma seeking release of the vehicle.

5. We agree with the submission of learned AC to AAG-9 for the State. The petitioner has not brought on record any material to satisfy this Court that he had approached the competent authority for release of the vehicle.

6. We grant liberty to the petitioner to file an appropriate application in prescribed proforma seeking release of the vehicle in terms of Rule 12A of the Bihar Prohibition and Excise Rules, 2021 (as amended up to date). If such an application is filed, the same will be considered and disposed



of within a period of one month from the date of filing of the application.

7. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

(Sourendra Pandey, J)

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