

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20375 of 2025

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Amit Yadav Son of Kangresh Yadav Permanent resident of Village/Mohala-
Rampur Kalan, Police Station- Vijayipur, District- Gopalganj, present resident
of Village- Patherdewa, Police Station- Depriya, District- Deoriya, U.P.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Excise Department, Patna (Bihar).
2. The Commissioner, Excise Department, Patna, Bihar.
3. The Commissioner, Saran Division, Gopalganj, (Bihar).
4. The Collector cum District Magistrate, Gopalganj, (Bihar).
5. The Officer in Charge, Excise Police Station, Gopalganj, (Bihar).
6. District Transport Officer, Excise Department, Gopalganj, (Bihar).

... .. Respondents

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Appearance :

For the Petitioner : Mr. Baijnath Sah, Advocate

For the Respondents : Mr. Ramadhar Singh, Government Pleader (25)

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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
GP-25 for the State of Bihar.

2. The prayer in this writ application is to direct the Respondent No. 4 to release the vehicle (TVS Motorcycle) bearing Registration No. UP52CH1245, Engine No. CE8FS2211379, Chassis No. MD634BE80S2F11447 which has been seized by Respondent No. 5 in Vijyipur P.S. Case No. 235 of 2025 dated 14.07.2025 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (as amended up to date).



3. From the averments in the writ application, it appears that the petitioner has not applied for release of the vehicle in terms of Rule 12A of the Bihar Prohibition and Excise Rules, 2021 (as amended up to date) before the competent authority.

4. We grant liberty to the petitioner to file an appropriate application and proposal in the prescribed form for release of the vehicle in question before the competent authority i.e. Respondent No. 4 or any other officer authorized by him. If such an application is filed, the competent authority shall pass an appropriate order thereon within a period of one month from the date of filing of the application with proposal.

5. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

(Sourendra Pandey, J)

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