

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1452 of 2026**

Manohar Rai Son of Janakdhari Rai, Resident of Village and Post-  
Raghunathpur, Baya Dih, P.S.- Saraiya, District- Muzaffarpur, At present  
Address- R/o Village/ Mohalla- Godshed Road, Rail Line, Ward No.- 5,  
Bardwan Sadar, P.S.- Bardwan, District- Bardwan (West Bengal).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Principle Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
3. The Collector- Cum- District Magistrate, Siwan.
4. The Superintendent of Police, Siwan.
5. The Superintendent of Excise, Siwan.

... .. Respondent/s

**Appearance :**

|                      |   |                                                             |
|----------------------|---|-------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Hemant Ray, Advocate                                    |
| For the Respondent/s | : | Mr. Sunil Kumar Mandal, SC3<br>Ms. Neelam Kumari, AC to SC3 |

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**and**  
**HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)**

2      02-02-2026                      The present writ petition has been filed for  
  
release of the truck of the petitioner bearing Registration  
  
No. WB23C7277, Chassis No. MAT448033D1B02038, and  
  
Engine No. 31863313519, which has been seized in  
  
connection with Siwan Excise P.S. Sadar Case No. 545 of  
  
2025, registered under Sections 30(a) and 32(3) of the Bihar



Prohibition & Excise (Amendment) Act, 2022 against the accused Randhir Kumar and the owner of the truck on account of recovery of 820.800 litres of illicit foreign liquor from the said truck.

2. At the very outset, the learned counsel for the petitioner submits that the petitioner be granted liberty to file appropriate petition under Rule 12A of the Bihar Prohibition and Excise (Amendment) Rules, 2023 (hereinafter referred to as “the Rules, 2023”) for release of the truck in question on payment of penalty.

3. Learned counsel for the respondent-State has no objection.

4. Having regard to the facts and circumstances of the case, it is deemed fit and proper to grant liberty to the petitioner to file a petition under Rule 12A of the Rules, 2023 and in case such a petition is filed within a period of three weeks from today, the District Magistrate, Siwan/ his authorized officer shall consider the same on merit and pass a reasoned and speaking order in accordance with law within a period of four weeks, thereafter.



5. Accordingly, the present petition stands disposed of.

**(Mohit Kumar Shah, J)**

**(Alok Kumar Pandey, J)**

alok/k.c.jha-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

