

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.560 of 2026

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Dharmendra Kumar @ Dharmendra Kr Son of Rajendra Prasad, Resident of Vindhyavasini Gas Agency, Behind Bharat Gas Agency, Ambair Rahui Road, Police Station- Bihar Sharif, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. The District Magistrate cum Collector, Gaya.
3. The Station In-Charge of Excise Police Station, Gaya.
4. The A.S.I, Excise, Samekit Janch Chauki, Dovi, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Ejaz Akhter, Advocate
For the Respondent/s : Mrs. Puspanjali Sharma, AC to SC20

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

2 19-01-2026 The learned counsel for the petitioner seeks a direction upon the Collector/Authorized Officer, District-Gaya to dispose off the application filed by the petitioner on 14.12.2025 under Section 12A of the Bihar Prohibition and Excise (Amendment) Rules, 2023 (hereinafter referred to as the ‘Rules, 2023’) for release of Scorpio vehicle bearing Registration No. BR01HZ7875, Engine No. YSR4G35029, Chassis No. MAITA2YS2R2G47766 in favour of the petitioner which has been seized in connection with Excise P.S. Sadar, Gaya Ji Case No. 973 of 2025 dated 04.09.2025, lodged against



Shailendra Prasad and Sanjay Kumar as also against the owner of the vehicle in question, who is the petitioner in the present case, under Section 30(a) and 32(3) of the Bihar Prohibition & Excise Act, 2016.

2. This Court finds that the aforesaid application has been sent by the petitioner by post, however in order to expedite the matter, we deem it fit and proper to grant liberty to the petitioner to file appropriate petition under Section 12A of the Rules, 2023 along with a copy of the present order before the learned Collector/Authorized Officer, District- Gaya for release of the vehicle in question upon payment of penalty.

3. It is needles to state that in case appropriate petition is filed, as aforesaid within a period of two weeks from today, the learned Collector/Authorized Officer, District- Gaya shall consider the same in accordance with law and pass a speaking and a reasoned order within a period of four weeks, thereafter.

4. Accordingly, the present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

(Praveen Kumar, J)

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