

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1415 of 2026

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Chandani Wife of Manoj Yadav, Resident of Village- Mishorli Koiladeva, P.S.
and District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary, Department of Prohibition and Excise, Govt. of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Officer-in-Charge, Mirganj Police Station, Dist. Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Respondent/s : Mr. Government Advocate (11)

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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 motorcycle of the petitioner bearing Registration No. UP52BZ5778, Chassis No. MD2B68BX0PPJ29349 and Engine No. DHXPPJ66920, which has been seized in connection with Mirganj P.S. Case No. 151 of 2025,



registered under Section 317(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition & Excise Act, 2016 against the accused Manoj Yadav (husband of the petitioner) and Vishal Gupta.

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 vehicle 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 before the learned Collector, Gopalganj/ his authorized officer and in case such a petition is filed within a period of three weeks from today, the Collector, Gopalganj/ 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)

Nilmani/-

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