

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3178 of 2026

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Rajesh Kumar Son of Late Baban Ram, resident of Village-Bachari, P.S.-Piro,
District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principle Secretary Excise Department, Govt. of Bihar, Patna.
2. The District Magistrate cum Collector, Bihta, District-Patna.
3. The Superintendent of Police Patna, District-Patna.
4. The Officer in Charge Bihta Police Station, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate
For the Respondent/s : Government Pleader (14)

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

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

- 2 16-03-2026 The present writ petition has been filed for release of tempo bearing Registration No. BR03PB2351, Chassis No. MD2B47AXORWK27632 and Engine No. AZXWRK87345, which has been seized in connection with Bihta P.S. Case No. 5117008250321 of 2025 dated 08.05.2025, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 on account of recovery of 300 litres of illicit country made liquor.
2. At the outset, the Ld. Counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate application under Rule 12A of the Bihar Prohibition and Excise



(Amendment) Rules, 2023 (hereinafter referred to as the ‘Rules, 2023’) for release of vehicle (tempo) on payment of penalty. Liberty, so sought, is granted.

3. It is needless to state that in case appropriate application is filed by the petitioner under Rule 12A of the Rules, 2023 within a period of three weeks from today, the competent authority shall consider the same on merits and pass a reasoned and a speaking order within a period of three weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

(Arun Kumar Jha, J)

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