

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.999 of 2026

Manju Devi Wife of Suresh Kumar Gupta @ Suresh Gupta Resident of Devi Sthan Lane (West), Chiraiyantand, P.S.- Jakkanpur, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Govt. of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Superintendent of Police, Patna.
4. The Excise Superintendent, Patna.
5. The Officer -In- Charge of Gopalpur Police Station, Patna.
6. Munna Kumar, Son of Ram Prasad Resident of Near Central Bank, Kumhar Toli, Kankarbagh, Lohianagar, P.S.- Kankarbagh, District- Patna.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
For the State	:	Mr. Prabhat Kumar, AC to GA-11

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

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

2 28-01-2026 The present writ petition has been filed by the petitioner for de-sealing and release of the ground floor flat constructed at Thana No. 105, Khata No. 31, Khesra Survey Plot No. 240, Mauza-Pipra, Mohalla Dev Nagar, Road No. 4, Shahpur, P.S. Gopalpur, District Patna, which has been sealed in connection with Gopalpur P.S. Case No. 214 of 2025 dated 22.05.2025, registered under Sections 30 (a) and 41 of the Bihar Prohibition and Excise Act, 2016 against one Munna Kumar on account of recovery of 568.440 litres of illicit liquor from the



flat in question.

2. The learned counsel for the petitioner submits that the petitioner had given the flat in question on rent to one Munna Kumar by a rent agreement dated 29.10.2024 and while the period of rent agreement was subsisting, it appears that the police had conducted a raid at the said flat and recovered 568.440 litres of illicit liquor. Hence, it is submitted that the petitioner is not having any complicity in the alleged occurrence. Nonetheless, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate petition under Rule 12B of the Bihar Prohibition and Excise (Amendment) Rules, 2022 (hereinafter referred to as “the Rules, 2022”) for the purposes of release of the premises in question upon payment of penalty.

3. The learned counsel for the respondent-State has got no objection and submits that in case the petitioner files appropriate petition under Rule 12B of the Rules, 2022 for release of the premises in question upon payment of penalty, the same would definitely be decided within a stipulated time frame as is fixed by this Court.

4. Having regard to the facts and circumstances of the case, we deem it fit and proper to grant liberty to the petitioner



to file appropriate petition under Rule 12B of the Rules, 2022 and in case such a petition is filed before the competent authority within a period of four weeks from today, the competent authority shall examine the same on merits without being impeded by the issue of limitation and pass a reasoned and a speaking order within a period of six weeks, thereafter.

5. Accordingly, the present writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

(Alok Kumar Pandey, J)

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