

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1859 of 2026**

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Sugi Devi W/o Baijnath Yadav, Resident of P.S.-Bishambharpur, District-Gopalganj 841501.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Bihar Prohibition and Excise Department, Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Officer in Charge of Prohibition and Excise P.S. Bishambharpur, District-Gopalganj.

... .. Respondents

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**Appearance :**

For the Petitioner : Mr. Adesh Raj, Adv.  
For the State : Mr. Ajay Behari Sinha, G.A. 8

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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      23-02-2026                      The present writ petition has been filed for directing the respondent authorities to release Honda SP 125 Motorcycle of the petitioner bearing Registration No. BR28AE8007, Chassis No. ME4JC942GRD142558 and Engine No. JC94ED2003159, which has been seized on account of recovery of 15.800 litres of illicit liquor leading to registration of Bishambharpur P.S. Case No. 174 of 2025 dated 08.08.2025 under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 against Souchindra Singh, Indrajeet and Ritanjay Kumar



Yadav (son of the petitioner).

2. At the outset, the learned 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 the motorcycle in question upon payment of penalty.

3. The learned senior counsel for the respondent-State submits that the confiscation proceedings are at the initial stage, hence he has got no objection in case appropriate application is filed under Rule 12 A of the Rules, 2023 for release of the vehicle upon payment of penalty and in case such an application is filed by the petitioner, the same would definitely be considered on merits and in accordance with law expeditiously.

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 12A of the Rules, 2023 and in case such a petition is filed within a period of four weeks from today before the competent authority/ authorized officer, the same shall be considered on merits and a reasoned and speaking order shall be passed in accordance with law within a period of four weeks thereafter.



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

**(Mohit Kumar Shah, J)**

**(Alok Kumar Pandey, J)**

shahzad/-

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