

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1400 of 2026

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Krishna Murari Jee son of Shree Ram Padarath Singh, resident of Mahavir Colony, Road No.- 11, Police Station- Beur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Excise Department, Bihar, Patna, P.S.- Secretariate, District- Patna.
2. The District Collector, Collectorate office at Hajipur, Vaishali, P.S.- Hajipur, District- Vaishali (Bihar).
3. The Superintendent of Police, Vaishali, at Hajipur, P.S.-Hajipur, District- Vaishali (Bihar).
4. The Deputy Superintendent of police, Hajipur, at Vaishali P.S.- Hajipur, District Vaishali (Bihar).
5. The officer-in-charge, Bidupur Police Station, District-Vaishali at Hajipur. (Bihar)
6. The Superintendent of Police, Patna Town, P.S.- Gandhi Maidan (Patna), District- Patna (Bihar).
7. The officer-in-charge, Beur (Patna) Police Station, District Patna (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate
For the Respondent/s : Smt. Anuradha Singh, SC-21

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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 petition has been filed for commanding and directing the respondents to release the goods-carrying tempo bearing Registration No. BR01GN6172, Chassis No. MD2B25BX9RWA07658 and Engine No. AZXWRA27740, which was seized in connection with Bidupur P.S. Case No. 09 of 2026 dated 04.01.2026, registered under Sections 274



and 275 of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition & Excise Act, 2016 (hereinafter referred to as the “Act, 2016), against the driver and owner of Vehicle No. BR31PD5892.

2. Learned counsel for the petitioner submits that the aforesaid vehicle, which belongs to the petitioner was stolen on 27.12.2025, pursuant to which the petitioner lodged an FIR bearing Beur P.S. Case No. 784 of 2025 on 27.12.2025 itself, under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023. It is further submitted that subsequently it transpired that the petitioner’s vehicle, though bearing a different registration number, i.e. BR31PD5892, but having the same chassis number and engine number, was seized by the police in connection with Bidupur P.S. Case No. 09 of 2026, upon recovery of 600 litres of country-made liquor from the said vehicle.

3. It is thus submitted that the petitioner has no connection with the excise case in question and apparently, after the vehicle of the petitioner was stolen by unknown accused persons, the same was used for transporting illicit liquor, during the course whereof, the same was seized by the



police, leading to institution of Bidupur P.S. Case No. 09 of 2026.

4. At this juncture, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate petition before the learned Collector, Vaishali at Hajipur/ his authorized officer under Rule 12A of the Bihar Prohibition and Excise (Amendment) Rules, 2023 (hereinafter referred to as the “Rules, 2023”) for release of the vehicle in question, annexing such judgments which have been passed by the Hon’ble Patna High Court pertaining to cases wherein directions have been issued to release vehicles which have though been seized in connection with FIR lodged under the provisions of Act, 2016 but are such vehicles which had been stolen and the owner of the same is not having any involvement in the occurrence. Liberty so sought is granted.

7. It is needless to say that in case appropriate petition is filed by the petitioner under Rule 12A of the Rules, 2023 within a period of two weeks from today, the learned Collector, Vaishali at Hajipur/ his authorized officer shall consider the same on merit, shall also take into account the fact that the vehicle of the petitioner was seized in connection



with case lodged under the provisions of Act, 2016, after the petitioner had already lodged an FIR regarding theft of his vehicle and pass a reasoned and a speaking order in accordance with law within a period of four weeks, thereafter.

9. Accordingly, the present petition stands disposed of.

(Mohit Kumar Shah, J)

(Alok Kumar Pandey, J)

Nilmani/-

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