

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1818 of 2026

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Vishal Kumar Son of Jagannath Mahto, Resident of village- Pokhraira, P.O. -
Giddha, Pokhraira, P.S. - Kajra, District- Muzaffarpur, State - Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Principle Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
3. The Collector-cum-District Magistrate, Saran.
4. The Superintendent of Police, Saran.
5. The Superintendent of Excise, Saran.
6. The Station House Officer of Bheldi Police Station, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Hemant Ray, Advocate

For the Respondent/s : Mr. K.P. Gupta, G.P.-10

Mr. Deeparjali Gupta, AC to GP-10

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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 learned Collector – cum – District Magistrate, Saran at

Chapra to release the truck of the petitioner bearing Registration

No. JH02T8038, Chassis No. MAT466404B2E12528, Engine



No. B591803111E63139880 which has been sized on account of recovery of 555.780 litres of illicit liquor leading to the registration of Bheldi P.S. Case No. 282 of 2025 dated 26.10.2025 under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as “the Act, 2016”) and Sections 317(5) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 against one Rajesh Kumar Yadav and unknown owner of the truck in question.

2. The learned counsel for the petitioner submits that the petitioner is the owner of the truck in question, hence he be granted liberty to file appropriate application under Rule 12(A) of the Bihar Prohibition and Excise (Amendment) Rules, 2023 (hereinafter referred to as “the Rules, 2023”) for release of the aforesaid vehicles in question upon payment of penalty. Liberty so sought is granted.

3. It is needless to state that in case appropriate petition is filed by the petitioner under Rule 12(A) of the Rules, 2023 within a period of four weeks from today, the learned Collector – cum – District Magistrate, Saran at Chapra/ the authorized officer shall consider the same on merits and pass a reasoned and a speaking order in accordance with law within a period of four weeks, thereafter.



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

(Mohit Kumar Shah, J)

(Alok Kumar Pandey, J)

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