

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2002 of 2026

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Anuj Sharma @ Anuj Kumar Sharma Son of Rajdev Sharma, Resident of
Village Mahammadpur, P.S. - Mahammadpur, District - Gopalganj.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
3. The Collector-cum-District Magistrate, Gopalganj
4. The Superintendent of Police, Gopalganj.
5. The S.H.O. Excise P.S., District - Gopalganj.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Adv.
For the State : Mr. Kamlesh Kishore, AC to SC-12

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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 release of

Hero Splendor+ Motorcycle bearing Registration No.
BR28AE1296, Chassis No. MBLHAW227RHB99714, Engine
No. HA11E8RHB87239 in favour of the petitioner, which has
been seized in connection with Gopalganj Excise P.S. Case No.
577 of 2025 dated 13.09.2025, registered under Sections 30(a)
and 32 of the Bihar Prohibition and Excise Act, 2016
(hereinafter referred to as "the Act, 2016") against the petitioner
who was caught on the spot and 13.800 litres of illicit liquor
was recovered.

2. At the outset, the learned counsel for the petitioner



seeks liberty on behalf of the petitioner to file appropriate petition 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 counsel for the respondent-State has got no objection.

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 before the learned Collector-cum-District Magistrate, Gopalganj/ authorized officer, the same shall be considered on merits and a reasoned and a 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)

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