

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3132 of 2026

Ashish Kumar Jha Son of Prem Kumar Jha, Resident of village- Barahi, P.S.-
Nauhatta, District- Saharsa

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary Prohibition, Excise and Registration Department Govt, Bihar Patna.
2. The Commissioner, Bihar Prohibition and Excise Department Government of Bihar Patna.
3. The Commissioner Koshi Division Saharsa.
4. The District Magistrate, Saharsa.
5. The Superintendent of Police, Saharsa.
6. The Excise Superintendent, Saharsa.
7. The District Transport Officer, Saharsa.
8. The SHO Saharsa Sadar police Station Saharsa District- Saharsa

... .. Respondents

Appearance :

For the Petitioner : Mr. Amarnath Jha, Advocate
For the State : Mr. S. Raza Ahmad, Addl. Advocate General (05)

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE KUMAR MANISH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

3 16-06-2026 Heard learned counsel for the petitioner and learned
AAG-5 for the State.

2. Having regard to the specific averment in the counter affidavit that a Confiscation Case No. 107/2026 has been lodged for confiscation of the vehicle and summon has been served upon the petitioner on 16.03.2026, learned counsel for the petitioner requests this Court to allow him to withdraw the writ application with liberty to file an appropriate application in the



given format before the Collector or an officer authorized by him for release of the vehicle on payment of penalty.

3. Learned AAG-5 for the State has no objection to the said prayer.

4. In the circumstances, we grant liberty to the petitioner to file an appropriate application in the given format before the Collector or an officer authorized by him in terms of Rule 12A of the Bihar Prohibition and Excise Rules, 2021 (as amended up to date) seeking release of the vehicle in question on payment of penalty. If any such application is filed within a period of 30 days from today, the same will be considered and disposed of by the competent authority i.e. the Collector or an officer authorized by him within a period of one month from the date of filing of the application. The petitioner will be at liberty to place the judicial pronouncements on the subject at the time of hearing of the matter before the competent authority.

5. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

(Kumar Manish, J)

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