

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2618 of 2026

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Ranjit Kumar Son of Saroj Prasad Gupta Resident of Kaji Bagh, P.S.- Patna
City, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Govt. of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Superintendent of Police, Patna.
4. The Excise Officer, Excise P.S., Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Adarsh Ranjan, Advocate

For the Respondent/s : Mr. Kameshwar Kumar, Government Pleader (17)

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

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

5 16-06-2026 Heard learned counsel for the petitioner and

learned GP-17 for the State.

2. Petitioner has directly moved this Court in its writ jurisdiction by filing a writ petition for release of the godown premises from where 9 litres of foreign-made liquor are said to have been recovered.

3. Rule 12B of the Bihar Prohibition and Excise Rules, 2021 (as amended vide Amendment Rules, 2022) (hereinafter referred to as the 'Rules of 2021') provides for release of the premises on payment of penalty.



4. When we questioned learned counsel for the petitioner as to whether he has gone through Rule 12B of the Rules of 2021, the answer was in negative.

5. In the counter affidavit, the State respondents have rightly taken a plea that the petitioner has got a statutory remedy which is equally efficacious.

6. In such view of the matter, we refuse to entertain the writ application. The petitioner, if so advised may file an appropriate application invoking the Rule 12B of the Rules of 2021. If any such application is filed before the competent authority, i.e. the Collector or an officer authorised by him within a period of 30 days from today, the same will be considered by the competent authority at the earliest opportunity and an appropriate order thereon shall be passed within a period of 30 days from the date of filing of the application.

7. Needless to say that while considering the application for release of the premises, the quantum of penalty shall be guided by the factors provided by the Rules and not beyond that. 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.



8. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

(Kumar Manish, J)

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