

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2750 of 2026

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Sunil Kumar Prasad, Son of Kalyan Chand Prasad, Resident of Village-
Rampali, P.S.-Maharaj Ganj, District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Excise, Bihar, Patna.
2. The Secretary, Department of Excise, Bihar, Patna.
3. The District Magistrate cum Collector Gopalganj at Gopalganj.
4. The Superintendent of Police, Gopalganj.
5. The S.H.O. Kateya P.S., Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Advocate
For the Respondent/s	:	Mr. Sunil Kumar Mandal, SC 3
		Ms. Neelam Kumari, AC to SC 3

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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

TVS Jupiter Scooty bearing Registration No. BR 29 BF 1209,

Chassis No. MD626EG52S3C23692, Engine No.

KG5CS3321054, which has been seized in connection with

Kateya P.S. Case No.318 of 2025 dated 12.06.2025, registered

under Section 317(5) of the Bhartiya Nyaya Sanhita 2023 and

Sections 30(a) and 41(1) of the Bihar Prohibition and Excise

Act, 2016 against the petitioner herein on account of recovery of



36.840 liters of illicit liquor from the Scooty in question.

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate petition under Rule 12 A of the Bihar Prohibition and Excise (Amendment) Rules, 2023 (hereinafter referred to as the ‘Rules, 2023’). Liberty, so sought, is granted.

3. It is needless to state that in case appropriate petition is filed under Rule 12 A of the Rules, 2023 within a period of four weeks from today, the competent authority/authorized officer shall consider the same on merits and pass a reasoned and a speaking order within a period of four weeks, thereafter.

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

(Mohit Kumar Shah, J)

(Alok Kumar Pandey, J)

GAURAV S./-

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