

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3482 of 2026

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Ritesh Kumar son of Buchan Yadav, resident of village- Dubiyahi Ward no.-
09 P.S.- Madhepura District- Madhepura

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate

For the Respondent/s : Mr.Government Advocate (11)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

2 16-03-2026 The present writ petition has been filed for release of

Scorpio vehicle bearing Registration No.BR11BA0278, Chassis

No.MA1TA2XM2N2F21056 and Engine No.XMN4F16836,

which has been seized in connection with Pastpar P.S. Case

No.79 of 2025, registered under Sections 30(a) and 41(1) of the

Bihar Prohibition and Excise Act, 2016 against Ritesh Kumar

and the owner of the vehicle on account of recovery of 300 litres



of illicit country made liquor.

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

3. It is needless to state that in case appropriate application is filed by the petitioner under Rule 12A of the Rules, 2023 within a period of four weeks from today, the competent authority/authorised 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 writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

(Arun Kumar Jha, J)

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