

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3199 of 2026

Sanjeev Sah alias Sanjiv Sah S/O Chandu Sah, permanent R/o Village-
Laxman Nagar, Barar, P.O. and P.S. Gaighat, District- Muzaffarpur, at present
R/O Locality- Salimpur Ahara, P.S. Gandhi Maidan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Prohibition Excise and Registration Department (Excise).
2. The Director General of Police, Patna, Bihar.
3. The District Magistrate, Patna.
4. The District Magistrate, Vaishali at Hajipur.
5. The Senior Superintendent of Police, Patna.
6. The Superintendent of Police, Vaishali at Hajipur.
7. The S.H.O., Gandhi Maidan P.S., Patna.
8. The S.H.O., Mahua P.S., Vaishali at Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Adv.
For the Respondent/s : Mr.Government Pleader (11)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 26-05-2026 Heard the parties.

2. Counsel for the petitioner submits that this petitioner is a *bona fide* owner of one Bajaj Maxima Cargo XL CNG Tempo, bearing Registration No. BR01GN3249, which was stolen and for which an F.I.R. was lodged by this petitioner being Gandhi Maidan P.S. Case No. 688 of 2025 registered on 04.12.2025 under Section 303(2) of the B.N.S, 2023. It has next been submitted that subsequently, one Mahua P.S. Case No. 1148 of 2025 was registered on 12.12.2025 under Section 30 (a)



of the Bihar Prohibition and Excise (Amendment) Act, 2022 and Sections 274/275 of the B.N.S., 2022 which was lodged just a couple days after the lodging of F.I.R. at Gandhi Maidan P.S. Case No. 688 of 2025 registered on 04.12.2025, which was instituted against this petitioner and the said tempo has been implicated in the said excise case after registration of the F.I.R. for theft being Mahua P.S. Case No. 1148 of 2025.

3. It is the case of the petitioner that instead of making this petitioner aware with regard to the recovery of that tempo Maxima bearing Registration No. BR01GN3249, the Police officials are not releasing the said tempo, despite recovery having been made, owing to such tempo having been implicated in the excise case.

4. On the other hand, counsel for the State submits that since there is already an F.I.R. lodged by this petitioner being Gandhi Maidan P.S. Case No. 688 of 2025, prior to the said tempo being implicated in the Mahua P.S. Case No. 1148 of 2025, appropriate directions may be issued by this Court for release of the same.

5. Considering the submissions and as also the judgment rendered by the Hon'ble Division Bench in the case of ***Bimlesh Kumar v. The State of Bihar & Ors*** passed in ***CWJC***



No. 19659 of 2025, this Court directs the S.H.O. Mahua P.S. Case No. 1148 of 2025 to release the Maxima Tempo bearing Registration No. BR01GN3249 strictly in consonance with the directions issued by the Hon'ble Division Bench passed in respect of such matters where there is already an F.I.R. lodged by the owner of the vehicle for theft whose vehicles have subsequently been implicated in excise case, within a period of three weeks after completing the formalities and securing sufficient surety from him in accordance with law.

6. Accordingly, this writ stands disposed.

(Ajit Kumar, J)

perwez/suryadev

U		T	
---	--	---	--

