

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4059 of 2026

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Vikash Madhyesia @ Vikas Madhyesia, Son of Nawab Madhyesia, Resident
of Village - Duhauna, P.O. - Kateya, P.S. - Kateya, District - Gopalganj.
... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
3. The Collector-cum-District Magistrate, Gopalganj.
4. The Superintendent of Police, Gopalganj.
5. The S.H.O. Kateya, District-Gopalganj.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Adarsh Ranjan, Advocate
For the State : Mr. Ajit Kumar Jha, AC to GP-2

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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)

3 22-06-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner in the present case is seeking the
following reliefs:-

“(i) For a direction upon the Respondents,
particularly Respondent No. 3 to 5 to release the
Apache Motorcycle bearing Reg. No.
BR28Z1120, Chassis No.
MD634AE82L2F09646, Engine No.
AEBFL2710165, in favour of the petitioner
which was seized in connection with Kateya
Case No. 482 of 2025 dated 25.08.2025
registered u/s 317(5) of BNS 2023; and Sections



30(a), 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

(II) For any other relief or reliefs as the Petitioner may found entitled by this Hon'ble Court be given.”

3. On perusal of the writ application, it appears that the petitioner has availed the remedy available to him under Rule 12A of the Bihar Prohibition and Excise Rules, 2021 (as amended up-to-date). He has moved directly before this Court in its writ jurisdiction. We would not encourage the petitioner to avoid the statutory remedy available to him.

4. This writ application is being disposed of with liberty to the petitioner to file an appropriate application in the prescribed form before the competent authority i.e. the Collector or an officer authorised by him within a period of 30 days from today. If such an application for release of the vehicle is filed before the competent authority, the same shall be considered and disposed of within a period of another 30 days.

5. Let it be recorded that total 9 liters of illicit liquor have been recovered from the sack kept near the seized vehicle in question. Before fixing penalty amount, the competent authority shall keep in mind the quantum of the liquor as also the previous involvement of the petitioner in Excise Case. It is



open to the petitioner to place the judicial pronouncements on the subject at the time of hearing of the matter before the competent authority.

(Rajeev Ranjan Prasad, J)

(Kumar Manish, J)

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