

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5101 of 2026

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Balwinder Singh, Son of Brijpal Singh, Resident of Village-Libra, P.S.-
Khana, District-Ludhiyana, State-Punjab.

... .. Petitioner

Versus

1. The State of Bihar through the Excise Commissioner, Bihar, Patna.
2. The Collector cum District Magistrate, Araria, District-Araria.
3. The Excise Superintendent, Araria, District-Araria.
4. The Station House Officer, Araria Police Station, District-Araria.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Ajay Prasad, Advocate
For the State	:	Mr. H.S. Goldie, AC to GP-6

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

2 06-05-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ application has been filed seeking
a direction to the respondents to release the vehicle in question
from which around 2232 liters of illicit liquors have been seized
and a case being Araria P.S. Case No. 557 of 2020 dated
17.07.2020 under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016 has been registered.

3. It appears that the vehicle in question was seized in
the year 2020. There is no averment that the petitioner has ever
applied for release of the vehicle in terms of Bihar Prohibition
and Excise Rules, 2021 (as amended up-to-date) before the



competent authority. The petitioner has been convicted in the criminal case and the judgment of conviction and order of sentence is under challenge in Cr. Appeal (SJ) No. 3376 of 2021.

4. Learned counsel for the State submits that since there is an alternative remedy available to the petitioner which he has not availed, this writ application may not be entertained.

5. Having regard to the circumstances available on the record, we are of the opinion that the writ application as framed cannot be entertained. The petitioner, if so advised, may avail his alternative remedy whatsoever is available to him in accordance with law.

6. This writ application stands disposed of.

(Rajeev Ranjan Prasad, J)

(Soni Shrivastava, J)

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