

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5383 of 2026

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Durga Prasad Gupta Son of Lalchand Sav, Resident of Village- Sobri, P.O.-
Barakala P.S.- Imamganj, District- Gaya (Bihar).

... .. Petitioner

Versus

1. The State of Bihar through the Home Secretary, Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Superintendent of Police, Gaya.
4. The Officer-In-Charge, Bankeybazaar Police Station, District - Gaya.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Abhishek Anand, Advocate
Mrs. Madhuri Kumari, Advocate
For the Respondent/s : Mr. Binod Kumar Yadav, SC 18

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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)

2 07-07-2026 Heard learned counsel for the parties.

2. Petitioner in the present writ application is seeking
the following reliefs:-

"(I) For commanding the respondents to
release the vehicle of the petitioner company
having Registration No. BR02BH5360,
seized on 13.10.2025 for alleged violation of
the provisions of Bihar Prohibition and
Excise Amendment Act, 2022 by the accused
in Bankeybazar P.S. Case No. 147/2025.
(II) For any other relief/reliefs that the
petitioner is entitled for."

3. It appears from the perusal of the records that the



petitioner has already filed a request in written format before the District Magistrate, Gaya (respondent no.2) as back as on 12.02.2026. If it is so, there is no reason as to why the District Magistrate would be sitting over the matter for about five months by now.

4. The District Magistrate, Gaya (respondent no. 2) is directed to pass an appropriate order on Annexure 'P-4' immediately within a week, in accordance with law. The petitioner is ready to pay the penalty. The penalty amount shall be fixed by the District Magistrate keeping in view the factors provided under Rule 12(A) of the Bihar Prohibition and Excise Rules, 2026, (as amended up-to-date).

5. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

(Kumar Manish, J)

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