

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5816 of 2026

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Ajeet Kumar Son of Late Bindeshwari Sahani, resident of Village-
Rahuamani, Ward No.3, P.S.- Bangaon, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of
Excise Prohibition and Registration, Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate, Saharsa.
4. The Superintendent of Police, Saharsa.
5. S.H.O. Bangaon Police Station.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh
For the Respondent/s : Mr.Standing Counsel (09)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
and
HONOURABLE MR. JUSTICE VIKASH KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA)

- 2 13-07-2026 1. Heard learned Counsel for the petitioner and learned
Counsel for the State.
2. The present writ application has been filed for a direction
to the District Magistrate, Saharsa, to release the vehicle
of the petitioner, bearing registration no. BR11GF-7882,
Chassis No. MA12N2TTKS1A1250 and Engine No.
TTR1M79649, which was seized in connection with
Bangaon Police Station Case No. 107 of 2025, dated
07.07.2025, registered for the offences under Section 30
(a)/41 of the Bihar Prohibition and Excise Act, 2016, in



terms of Rule 12A of the Bihar Prohibition and Excise Rules, 2021.

3. Learned Counsel for the petitioner submits that at the relevant point of time, the vehicle, in question, was seized along with 435 litres of cough syrup and, accordingly, First Information Report was lodged and the petitioner's vehicle was seized on the spot.
4. Learned Counsel for the State, referring to paragraph 14 of the counter affidavit, submits that the confiscation proceeding, bearing Confiscation Case No. 80 of 2026, has been initiated against the petitioner before the District Magistrate, Saharsa and summons has been served upon the petitioner. Further, the petitioner may avail the remedy under Rule 12A of the 2021 Rules.
5. Considering the nature of prayer made in the writ application and the fact that the petitioner has not availed the remedy under Rule 12A of the 2021 Rules, the present writ application is disposed with liberty to the petitioner to file an appropriate application in Form IV for release of his vehicle under Rule 12A of the 2021 Rules within a period of two weeks from today.
6. It is made clear that if such an application is filed by the



petitioner in Form IV within the aforesaid period, the
Confiscating Authority/District Magistrate, Saharsa, shall
dispose the same in accordance with law by a speaking
order at the earliest, preferably within a period of two
weeks from the date of filing of the petition.

(Anil Kumar Sinha, J.)

(Vikash Kumar, J.)

Prabhakar Anand/-

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