

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5409 of 2026

Vinod Mahto Son of Ram Sagar Mahto, Resident of Village- Bhuwali Tola,
Khawajepur, P.S. Gopalganj, District- Gopalganj.

... .. Petitioner

Versus

1. The State of Bihar through The Principal Secretary, Department of prohibition and Excise, Govt. of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Excise, Gopalganj.
4. The Officer-in-Charge, Gopalganj Police Station, Dist. Gopalganj.

... .. Respondents

Appearance :

For the Petitioner : Mr. Dhramveer, Advocate
For the State : Mr. R.P.N. Tiwari, Advocate, AC to SC 25

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 for a direction upon the respondents to release his seized vehicle i.e. Unique E-Rickshaw bearing Registration No. BR28ER6192, Chassis No. MD9XBRKEDJH209351, which is seized in connection with Kuchaikot P.S. Case No. 118 of 2026 dated 08.03.2026 under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. It seems that the petitioner has directly approached this Court for release of the E-Rickshaw from which 49 liters of



liquor is said to have been recovered.

4. This Court refuses to entertain a writ application filed without availing the alternative statutory remedy already available to the petitioner.

5. If the petitioner applies for the statutory remedy of Rule 12(A) of the Bihar Prohibition and Excise Rules, 2021 (as amended up-to-date), the same will be considered by the competent authority under the rules and an appropriate order thereon shall be passed within 30 days from the date of filing of the application. While fixing the amount of penalty, the competent authority shall keep in mind the factors provided for this purpose under the rules.

6. The writ application stands disposed of.

(Rajeev Ranjan Prasad, J)

(Kumar Manish, J)

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