

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6438 of 2026

=====

Satyendra Narayan Singh Son of Kamta Prasad Singh, Resident of New By
Pass Road, Ashochak, Nandalchhapra, P.O.- Khemnichak, P.S.- Ramkrishna
Nagar, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar represented through Principle Secretary, Excise and Prohibition Department, Government of Bihar, having its office at 176D, 1st floor, Vikash Bhawan, Bailey Road, Patna 800015.
2. The Commissioner of Excise, Bihar Excise, Patna.
3. The District Magistrate, Patna.
4. The Superintendent of Excise, Madhya Nisedh, Bihar, Patna.
5. The Investigating Officer of Excise, P.S. Patna Case No. 587 of 2026.
6. Sonu Kumar, Son of Binod Mistri, Resident of near R.B. Vidyalay, Bahadurpur Housing Colony, P.S.- Kadamkuna, District- Patna.

... .. Respondents

=====

Appearance :

For the Petitioner/s	:	Mr. Kumar Chandra Shekhar, Adv. Mr. Gopal Jha, Adv. Mr. Veermani Kumari
For the Respondent/s	:	Mr. Binod Kr. Yadav, SC-18

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE KUMAR MANISH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

2 22-06-2026 Heard the learned counsel for the petitioner and

learned counsel for the State.

2. Petitioner in the present case is seeking the

following reliefs:-

(i) To issue a writ in the nature of
Mandamus for a direction to the respondent
authorities to unsealed the sealed rooms of the
petitioner's house (one room of 4th floor and one
room of ground floor), which was sealed in
connection with Excise P.S. Patna Case No. 587 of
2026.



(ii) To hold that if the confiscation proceeding will start in the case that will be totally illegal, unwanted, improper in the facts and circumstances of the case which will be discussed latter on in the pleadings.

(iii) For holding that if the proceedings of the confiscation of the house /room of the petitioner which has been sealed allegedly recovering prohibited foreign liquor will be initiated that is totally illegal, as the duty cast upon the Collector is that prior to initiation of an proceeding or confiscation of any good, material etc. he has to record his satisfaction that an offence under this act has been committed which the Collector has failed to do so.

(iv) For restraining the respondent authorities from taking over the aforesaid house /room, destroy/selling / transferring or using the same in manner whatsoever during the pendency of the case.

(v) For a direction to the respondent authorities to protect the house / room of the petitioner which has been sealed for recovering of alleged liquor.

(vi) For a direction to the respondent authorities to pay an adequate and exemplary compensation to the petitioner in the facts and circumstances of the case.

(vii) Any other relief/reliefs, order / orders, direction /directions for which the petitioner is legally and validly entitled in the facts and circumstances of the case.

3. On perusal of the writ application, it appears that the petitioner has directly moved this Court for the reliefs prayed. In the Bihar Prohibition and Excise Rules, 2021 (as amended up-to-date), Rule 12B provides a remedy to the petitioner to apply for unsealing of the premises seized or sealed by any police or excise officer under the Bihar Prohibition and



Excise Act, 2016. The statutory remedy is equally efficacious but the petitioner has not applied for the same.

4. In the circumstances, we do not entertain the writ application. It is being disposed of with liberty to the petitioner to avail his remedy, if so advised, in accordance with law before the Competent Authority.

5. If such an application is preferred by the petitioner within a period of 30 days from today, the same shall be considered by the Competent Authority within further period of 30 days. The Competent Authority shall pass an appropriate order keeping in view the guidelines already provided in the Statute and the Rules.

(Rajeev Ranjan Prasad, J)

(Kumar Manish, J)

Abhishek/-
SUSHMA2/-

U			
---	--	--	--

