

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8777 of 2025

Jagdeo Prasad S/o Late Radha Krishana Prasad, Resident of Ward No. 15
Bettiah, P.S.- Kalibag O.P., District- West Champaran (Bettiah).

... .. Petitioner

Versus

1. The State of Bihar through its Principal Secretary, Department of Prohibition
Excise and Registration, Government of Bihar, Patna.
2. The Excise Commissioner, the Department of Prohibition and Excise Bihar,
Patna.
3. The Secretary, Department of Prohibition and Excise Bihar, Patna.
4. The Collector, West Champaran at Bettiah.
5. The Superintendent of Police, West Champaran at Bettiah.
6. The Additional District Magistrate, West Champaran at Bettiah.
7. The Sub-Inspector of Police, Bettiah Nagar (Kalibag O.P.) District- West
Champaran.

... .. Respondents

Appearance :

For the Petitioner : Mr. Lalan Kumar Verma, Advocate
For the Respondents : Mr. Government Pleader 12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

6 16-03-2026 Heard the learned counsel for the petitioner and
learned counsel for the respondent State.

2. Though the present writ petition has been filed
for quashing the orders dated 13.10.2023, 11.03.2024 and
20.05.2024 passed by the Court of learned Additional District



Magistrate, West Champaran at Bettiah, the Commissioner, Excise, Bihar, Patna and the Excise Secretary, Bihar, Patna respectively, however, at the outset the learned counsel for the petitioner, realizing the fact that the present writ petition is not maintainable at the behest of the petitioner, who is not the owner of the premises in question, which has been sealed in connection with Bettiah Nagar (Kalibagh O.P.) P.S. Case No. 441 of 2022 dated 12.06.2022, registered under Section 30(A) of the Bihar Prohibition and Excise Act, 2016, on account of recovery of 84 litres of illicit liquor from the premises in question, seeks not to press the present writ petition. Nonetheless, the learned counsel for the petitioner submits that it be observed that the present order shall not cause any prejudice to the wife of the petitioner, who is the owner of the premises in question, in case she chooses to file appropriate application for release of the premises in question.

3. Having regards to the facts and circumstances of the case, the present writ petition stands disposed off as not pressed. However, we make it clear that the present order as also the various orders passed by the State authorities, which have been challenged in the present writ petition, in which wife of the petitioner was not a party, shall not cause



prejudice to the case of the wife of the petitioner in case she chooses to take appropriate steps for release of the premises in question by availing the remedies available under the provisions of Bihar Prohibition and Excise Act, 2016 as amended by the Amendment Act, 2018 and 2022, as also under the Bihar Prohibition and Excise (Amendment) Rules, 2022.

(Mohit Kumar Shah, J)

(Arun Kumar Jha, J)

Shahnawaz/-

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