

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7900 of 2026

=====

Vicky Kumar Dubey S/o Vinod Dubey, R/o Mohalla- B.B. Ganj Nandpuri,
Bhagwanpur, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Bihar Prohibition and Excise Department, Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The Superintendent of Excise, Muzaffarpur.
4. The Senior Superintendent of Police, Muzaffarpur.
5. The Officer in charge, Muzaffarpur Excise Police Station, District- Muzaffarpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Sudhir Kumar Sinha
For the Respondent/s	:	Mr. Anirban Kundu, SC 24
		Mr. Rajat Kumar Tiwary, AC to SC 24

=====

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

(Per: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA)

- | | | |
|---|------------|--|
| 2 | 15-07-2026 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioner and learned Counsel for the State.2. The present writ application has been filed for unsealing/releasing the garage of the petitioner, which was sealed in connection with Muzaffarpur Excise Police Station Case No. 1076 of 2025, dated 21.08.2025, registered under Sections 30(a)/32(3) of the Bihar Prohibition and Excise Act, 2016.3. Learned Counsel for the petitioner submits that the |
|---|------------|--|



petitioner is the lawful owner of the garage in question, situated at mouza Bakhri Chandan, NH 57, New Darbhanga Road, district Muzaffarpur, having Thana No. 656, Khata No. 104, Plot No. 472. During raid of the garage in question, 1633.38 litres of illicit liquor was recovered from a 12-wheeler Tata truck and a pickup van, which were standing in the premises of the garage. He further submits that the said truck had been kept there for its repair.

4. On the other hand, learned Counsel for the State argued that the petitioner has the remedy under Section 12B of the Bihar Prohibition and Excise Rules, 2021 and he may avail that remedy by filing an application before the District Magistrate, Muzaffarpur, who is the Confiscating Authority and the confiscation proceeding has been initiated against the petitioner, bearing Confiscation Case No. 76 of 2026-27. A notice has been issued to the petitioner in the aforesaid confiscation proceeding on 01.06.2026.
5. Having heard learned Counsel for the parties concerned and taking into consideration the nature of prayer made in the writ application, we dispose the present writ



application with liberty to the petitioner to file an application before the Confiscating Authority/District Magistrate, Muzaffarpur, under Rule 12B of the 2021 Rules in Form-V within a period of two weeks from today.

6. It is made clear that if such an application is filed, the Confiscating Authority/District Magistrate, Muzaffarpur, shall dispose the same in accordance with law by a speaking order, preferably within a period of three weeks from the date of filing of the petition under Form-V by the petitioner.

(Anil Kumar Sinha, J.)

(Vikash Kumar, J.)

Prabhakar Anand/-

U	√		
---	---	--	--

