

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9998 of 2025

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Ziyaul Haque S/o Kalamul Haque, R/o Ramdas Bagahi Ram Das, Baghi, P.S-
Gopalganj, District- Gopalganj, Bihar. Also at 387/9, Ramgulam Tola, Nikat
Gosai Mandir, Ward No. 11, District- Deoria, Uttar Pradesh.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Excise and Prohibition Department
Gov. of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate, Gopalganj, Bihar.
4. The Superintendent of Police, Gopalganj, Bihar.
5. The Superintendent of Excise, Gopalganj, Bihar.
6. The SHO, Gopalganj Police Station, Gopalganj, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate
Mr. Masoom Raza, Advocate

For the Respondent/s : Mr. Hari Mohan Mishra, AC to G.P.-27

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

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

4 21-01-2026 The present petition has been filed for release of

vehicle of the petitioner i.e. Maruti Swift Car bearing

Registration No.- UP52BX2405, Engine No.- K12NP1480292

and Chassis No.- MBHCZCB3SPHC99675 which has been

seized in connection with Gopalganj Excise P.S. Case No. 50 of

2025 dated 20.01.2025, registered under Sections 30(a) and 32

of the Bihar Prohibition and Excise Act, 2016 (hereinafter

referred to as ‘the Act, 2016’) against the petitioner and two

other persons, on account of recovery of 144 liters of illicit



liquor from the vehicle in question.

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate petition under Rule 12A of the Bihar Prohibition and Excise (Amendment) Rules, 2023 (hereinafter referred to as ‘the Rules, 2023’) for release of vehicle upon payment of penalty, however submits that a stipulated time frame be fixed for disposal of the same.

3. Having regard to the limited prayer made by the petitioner in the present case, we deem it fit and proper to grant liberty to the petitioner to file appropriate petition under Rule 12A of the Rules, 2023 and in case such a petition is filed within a period of two weeks from today, the Collector, Gopalganj/Authorized Officer shall pass a speaking and a reasoned order in accordance with law within a period of four weeks, thereafter.

4. Accordingly, the present writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

(Praveen Kumar, J)

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