

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8386 of 2026

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Road Star Logistics Private Limited A registered company having its registered office at 126 Chittaranjan Avenue, New Kolkata, West Bengal PIN 700073 through its representative Mukesh Kumar Singh, Age about-46 years (M), Son of Narendra Singh, Resident of Nawapara, Kanaipur, Hooghly West Bengal- 712234.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. The District Magistrate, District- Begusarai.
3. The Superintendent of Police, District- Begusarai.
4. The Officer-in-Charge, Begusarai Nagar P.S. District- Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar, Advocate
For the State	:	Mr. Anil Kumar Verma, AC to AAG 9

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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 Heard learned Counsel for the petitioner and learned Counsel for the State.

2. The present writ application has been filed directing the respondents to release the Tata Container Truck of the petitioner, bearing registration no. WB11E/7582, Chassis No. MAT373428K2K12332, Engine No. CRI675JPY108429 (hereinafter the 'said vehicle') seized in connection with Begusarai Nagar P.S. Case No. 353 of 2025, dated 28.08.2025, registered for the offences under Sections 30(a) and 32(3) of the



Bihar Prohibition and Excise Act, 2016.

3. Learned Counsel for the petitioner submits that Begusarai Nagar P.S. Case No. 353 of 2025 was registered for recovery of 143.62 litres of illicit liquor, which was being allegedly carried by the vehicle, rather the same was kept by the driver and other staffs in the cabinet of the container. The arrested individuals even admitted they did not possess the keys to this sealed container. Therefore, nothing specific regarding the illicit liquor has been attributed to the petitioner company in the FIR, as the recovery was restricted entirely to the driver's cabin which was under exclusive control of the driver, demonstrating the company's complete lack of knowledge and involvement.

4. Learned Counsel for the State submits that the Tata Container Truck was indulged in the transportation of illicit liquor, as such, the First Information Report has been registered under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2016 and the vehicle, in question, was seized. He further submits that there is provision under Rule 12A of the 2021 Rules for filing an application in Form IV for release of the vehicle.

5. Considering the nature of prayer made in the writ



application and the fact that the petitioner has not availed the remedy under Rule 12A of the 2021 Rules, the present writ application is disposed with liberty to the petitioner to file an appropriate application in Form IV for release of its vehicle under Rule 12A of the 2021 Rules within a period of two weeks from today.

6. It is made clear that if such an application is filed by the petitioner in Form IV within the aforesaid period, the Confiscating Authority/District Supply Officer, Begusarai, shall dispose the same in accordance with law by passing a speaking order at the earliest, preferably within a period of two weeks from the date of filing of the application if the confiscation and auction of the vehicle has not concluded finally.

(Anil Kumar Sinha, J)

(Vikash Kumar, J)

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