

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9164 of 2026

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Mehandi Shah @ Mehandi Hasan Son of Chhiddan Shah Post - Mathuraour,
Bichupri, Sahabad, Police Station -Patwai, District- Rampur, Uttar Pradesh,
244901

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Prohibition, Excise and Registration Department, Government of Bihar, Patna.
2. The Divisional Commissioner, Patna Division, Patna.
3. The District Magistrate Cum Collector, Buxar.
4. The Superintendent of Police, Buxar.
5. The District Excise Officer, Buxar.
6. The Superintendent of Excise and Prohibition, Buxar.
7. The S.H.O. Cum In-charge of Buxar Excise Police Station, District - Buxar.
8. Balveer Singh Son of Paramjeet Singh Resident of village Jiwai Kahim, Police Station - Milak, District - Rampur, Uttar Pradesh.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kishore Bharti, Advocate
For the Respondent/s	:	Mr., S. Raza Ahmad, AAG-5
		Md. Kamil Akhtar, AC to AAG-5

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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 16-07-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ application has been filed for a direction to the District Magistrate, Buxar, to release the Mahindra Bolero Pick-Up of the petitioner, bearing Registration No. UP22BT-6932 and Chassis No. MAIRV2TUKR6A25764, which was seized in connection with Buxar Excise P.S. Case



No. 221 of 2025, dated 25.05.2025, registered for the offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018, in terms of Rule 12A of the Bihar Prohibition and Excise Rules, 2021.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further prays for release of the seized vehicle in accordance with Rule 12A of the Bihar Prohibition and Excise Rules, 2021.

4. Learned counsel for the State submits that the Mahindra Bolero Pick Up of the petitioner was allegedly used for transportation of illicit liquor and, as such, the First Information Report has been registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2018 and the vehicle in question was seized. He further submits that there is a 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 of with liberty to the petitioner to file an appropriate application in Form IV for release of his 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, Buxar, shall dispose of 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.

(Anil Kumar Sinha, J)

(Vikash Kumar, J)

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