

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9394 of 2026

Ashok Kumar @ Ashok Sharma S/o Late Ramswarth Sharma, resident of village- Singriawan, P.S.- Sahjahanpur, District- Patna. At present residing at Rajeev Nagar, Road No. 23,. P.S.- Rajeev Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Bihar, Patna.
2. The Collector-cum-District Magistrate, Patna.
3. The Superintendent of Police, Patna.
4. The Dy. S.P, Patna.
5. The Officer-Incharge, Rajeev Nagar P.S., District- Patna.
6. Saroj Kumar Singh, ASI, Rajeev Nagar P.S., District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh
For the Respondent/s : Mr. Additional Advocate General (12)

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, Patna, to release the Vehicle one Activa Schooty of Honda Company, bearing Registration No. BR01-DL-5582 and Chassis No. ME4JF507HHT554770, Engine No. JF50ET5554949 which was seized in connection with Rajeev Nagar P.S. Case No. 249 of 2026, dated 24.04.2026, registered for the offences under Section 30(a) of



the Bihar Prohibition and Excise (Amendment) Act, 2022, 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 one Activa Scooty of Honda Company 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, 2022 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, Patna, 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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