

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15394 of 2025

Hemant Kumar Singh @ Hiraya Pratap Singh Son of Ashok Kumar Singh,
Resident of Village- Raja Pakar, South Ward No.- 03, P.S.- Raja Pakar,
District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Excise Prohibition and Registration Department, Government of Bihar, Patna.
2. The District Magistrate, Vaishali.
3. The Superintendent of Police, Vaishali.
4. The Officer- Incharge, P.S.- Raja Pakar, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta
For the Respondent/s : Mr.Standing Counsel (9)

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

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

4 05-02-2026 The present writ petition has been filed for de-sealing /
release of the house of the petitioner situated at Khata No. 51,
Khesra No. 9817, situated at mauja-Rajapakar, P.S. No. 233,
Ward No. 13, District-Vaishali, which has been sealed in
connection with Rajapakar P.S. Case No. 138/2024, registered
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016 against the petitioner and four others on account of
recovery of 155.520 liters of illicit foreign liquor from the said
house.

2. The learned counsel for the petitioner submits that the
house of the petitioner from where illicit liquor has been



recovered is in his joint possession alongwith his other family members, hence the petitioner is not having any complicity in the matter. Nonetheless, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate petition under Rule 12-B of the Bihar Prohibition and Excise (Amendment) Rules, 2022 (hereinafter referred to as “the Rules, 2022”) for release of the house of the petitioner upon payment of penalty. Liberty so sought is granted.

3. It is needless to state that in case appropriate petition under Rule 12B of the Rules, 2022 is filed before the Competent Authority, i.e. the Collector, Vaishali, within a period of three weeks from today, the same shall be considered on merits and the Collector, Vaishali/ his authorized officer shall pass a reasoned and a speaking order, in accordance with law, within a period of four weeks, thereafter.

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

(Mohit Kumar Shah, J)

(Alok Kumar Pandey, J)

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