

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17902 of 2025

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Jai Ashish Singh s/o Late Rajendra Singh, Resident of Mohalla- Rajiv Nagar,
Road No- 24, P.S.- Rajiv Nagar, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary cum Excise Commissioner, Govt. of Bihar, Patna.
3. The District Magistrate, Patna.
4. The Excise Superintendent, Patna.
5. The Excise Inspector cum Excise Station House Officer, Sadar Sub-division, Patna.
6. The Excise Inspector, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Adv.
For the State	:	Mr. Birju Prasad, GP-13
		Mrs. Shweta Anand, AC to GP-13

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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)

2 12-01-2026 The present writ petition has been filed for directing the Respondents to de-seal the sealed shop of the petitioner, which has been sealed since 4.2.2025 on account of recovery of about 132.480 liters of foreign liquor from the shop in question, in connection with Patna Prohibition P.S. Case No. 154 of 2025 dated 04.02.2025, registered under Section 30(a), 32(i)(ii) and Section 56(b) of the Bihar Prohibition and Excise Act, 2016 against Niraj Kumar, Ansh Kumar and others.



2. The learned counsel for the petitioner submits that the petitioner is lawful owner of the shop, situated at Road No. 24, Rajiv Nagar, District-Patna, which he had let out to one Abhishek Singh by a rent agreement dated 29.5.223, however during the subsistence of the said rent agreement, the aforesaid criminal case was filed on 4.2.2025 on account of recovery of illicit liquor from the said shop. It is also submitted that the petitioner had made a detailed representation on 2.5.2025 before the District Magistrate, Patna for de-sealing his shop, but till date no order has been passed.

3. *Per contra*, the learned counsel for the Respondent-State submits that in case the confiscation proceedings have not been concluded and a fresh petition is filed by the petitioner under Rule 12B of the Bihar Prohibition and Excise (Amendment) Rules, 2022 (hereinafter referred to as “the Rules, 2022”), the same shall be decided, expeditiously.

4. Having regard to the facts and circumstances of the case, we deem it fit and proper to grant liberty to the petitioner to file appropriate petition under Rule 12B of the Rules, 2022 for de-sealing / release of the shop in question and in case such a petition is filed within a period of two weeks from today before the District Magistrate, Patna, he shall pass a reasoned and a



speaking order, in accordance with law, within a period of four weeks thereafter, failing which it would be incumbent upon the District Magistrate, Patna to de-seal the shop in question and hand over its possession to the petitioner, forthwith.

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

(Mohit Kumar Shah, J)

(Praveen Kumar, J)

Ajay/-

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