

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17911 of 2025

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Bijay Kumar Singh, Son of Chandradip Singh, Resident of Maulabag Ward No.- 22. near Girl High School, Daudnagar, PS. Daudnagar, District- Aurangabad, Bihar and also the resident of Village- Ekauni, PS. Daudnagar, District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise and Registration Department, Government of Bihar, Patna.
2. The Excise Commissioner, Government of Bihar, Patna.
3. The Collector-cum-District Magistrate, Aurangabad, District -Aurangabad, Bihar.
4. The Superintendent of Police, Aurangabad, District Aurangabad, Bihar.
5. The Excise Superintendent, Aurangabad, District Aurangabad, Bihar.
6. The Station House Officer, Excise Police Station, Daudnagar, District- Aurangabad, Bihar.
7. Ravi Kumar @ Dharmendra Kumar son of Praadeep Sao, resident of Village Repura, PO- Ekauni, PS- Daudnagar, District- Aurangabad, Bihar.
8. Govind Kumar son of Pradeep Sao, resident of Village-Repura, PO- Ekauni, PS- Daudnagar, District- Aurangabad, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramendra Kumar Singh, Advocate
For the State	:	Mr. Subhash Pd. Singh, GA 3
		Mr. Dilip Kumar, AC to GA 3

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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 19-01-2026 The present writ petition has been filed for de-sealing the shop of the petitioner as also to release the same in favour of the petitioner which has been seized and sealed by the Excise Officials in connection with Daudnagar Excise P.S. Case No. 70



of 2025 dated 27.02.2025, registered under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2016 against one Ravi Kumar, Govind Kumar (absconder) and owner of the shop from where 306 liters of illicit country made liquor has been recovered.

2. The learned counsel for the petitioner submits that the petitioner had given the shop, from which illicit liquor has been recovered, on rent to the respondent Nos.7 and 8, *vide* rent agreement dated 16.09.2023, hence it is not the petitioner who is having any complicity in the alleged recovery of the illicit country made liquor.

3. 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 premises/shop on payment of penalty.

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 12 B of the Rules, 2022 before the competent authority and in case such a petition is filed within a period of two weeks from today, the competent authority shall consider the same fairly, in accordance with law and pass a reasoned and a speaking order within a period of four



weeks, thereafter.

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

(Mohit Kumar Shah, J)

(Praveen Kumar, J)

GAURAV S./-

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