

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19193 of 2025

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Shivkali Devi Wife of Late Chhedi Baitha Resident of Village- Ramnagara,
P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Sitamarhi.
2. The Excise Commissioner, Bihar, Patna.
3. The Additional Chief Secretary, Bihar, Patna.
4. The Superintendent of Police, Sitamarhi.
5. The Sub Inspector Excise, Sitamarhi.
6. The A.S.I. cum SHO of Riga Police Station, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv.
For the Respondent/s : Mr.Additional Advocate General (12)

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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 At the outset, the learned counsel for the petitioner seeks permission to make correction in the depiction of police station, in the address mentioned in the cause title. Permission, so sought, is granted. Necessary correction be made during the course of the day.

2. The present writ petition has been filed for de-sealing and release of the seized house of the petitioner, situated at Mauza Shirauli, P.S. Riga, appertaining to Khata No. 1364, Khesra No. 8766, 11862, admeasuring 0.02 decimal from which 74 liters of



illicit liquor was seized, leading to filing of Riga P.S. Case No. 320 of 2019 under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 against the petitioner and his son.

3. The learned counsel for the petitioner has, at the outset, submitted that the confiscation proceedings have not yet been initiated, however the petitioner be granted liberty to file appropriate petition under Rule 12B of the Bihar Prohibition and Excise (Amendment) Rules, 2022 (hereinafter referred to as “the Rules, 2022”) before the learned Collector, Sitamarhi for release of the premises in question upon payment of penalty, nonetheless a time frame be fixed for the purposes of disposal of such petition.

4. The learned counsel for the Respondent-State has got no objection to the aforesaid submission advanced by the learned counsel for the petitioner.

5. 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 for release of the premises in question under Rule 12B of the Rules, 2022 and in case such a petition is filed within a period of two weeks from today, the learned Collector, Sitamarhi shall dispose off the same, by passing a reasoned and a speaking order, in accordance with law, within a period of four



weeks, thereafter.

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

(Mohit Kumar Shah, J)

(Praveen Kumar, J)

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