

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19088 of 2025

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Shyam Sundar Devi Wife of Late Ratneshwar Mehta, Resident of Village-
Rewasi Ward No. 05, 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 Excise Police Station, District-Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv.
For the Respondent/s : Mr.Standing Counsel (07)

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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 de-sealing

the premises of the petitioner, situated at Mauza Rewasi, P.S.-

Riga, District-Sitamarhi bearing Khata No. 736, Survey No.

1128, admeasuring 4 decimal, which has been seized on account

of recovery of 162.96 liters of illicit foreign liquor, leading to

lodging of Prohibition P.S. Sitamarhi Case No. 604 of 2025

dated 16.8.2025 under Section 30(a) and Section 32(3) of the

Bihar Prohibition and Excise Act, 2016 against the son of the



petitioner and others.

2. 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.

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

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 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.

5. Accordingly, the present writ petition stands disposed off



on the aforesaid terms.

(Mohit Kumar Shah, J)

(Praveen Kumar, J)

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