

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19802 of 2025

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Santosh Kumar S/o Ram Bali Sahni, R/o House No 7, Street No 4, Tibba Road, Gurmail Park, Basti, Jodhewal, Ludhiana, Punjab

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Excise and Prohibition Department Gov. of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate, Gopalganj, Bihar
4. The Superintendent of Police, Gopalganj, Bihar
5. The Superintendent of Excise, Gopalganj, Bihar
6. The SHO, Excise Gopalganj, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajnikant, Adv.
For the Respondent/s : Mr.Addl. Advocate General 04

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

3 16-02-2026 The present writ petition has been filed for setting aside the order of confiscation dated 13.6.2025, passed by the learned Court of Sub-Divisional Magistrate, Gopalganj in Excise Confiscation Case No. 207/2025 as also for directing the Respondents to release the vehicle of the petitioner i.e. Bolero Max Pick-Up bearing Registration No. PB10JE-5463, Chassis No. MA1RA2TTKP1E44722 and Engine No. TTP1E20572, which has been seized on account of registration of Gopalganj Excise P.S.Case No. 29/2025, dated 10.1.2025 under Section



30(a) and 32 of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as to “the Act, 2016) on account of recovery of 964.50 liters of illicit foreign liquor from the said vehicle.

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 13.6.2025, by filing appropriate appeal under Section 92 of the Act, 2016. Liberty, so sought, is granted.

3. It is needless to state that in case appropriate appeal is filed within a period of four weeks from today, the appellate authority shall consider the same on merits, without being impeded by the issue of limitation and 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)

(Sunil Dutta Mishra, J)

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