

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19374 of 2025

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Rajendra Paswan @ Rajendra Kamal Paswan (male), Son of Nathu Paswan
Resident of Village- Bankipur Gorakh, Police Station- Fatwa, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Prohibition, Excise and Registration Department, Government of Bihar, Patna.
3. The District Magistrate- cum- Collector, Patna, District- Patna.
4. The Excise Superintendent, Patna, District- Patna.
5. The Station Head Officer, Excise Patna Police Station, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate
		Smt. Divya Bharti, Advocate
For the Respondent/s	:	Addl. Advocate General 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 19-01-2026 The present writ petition has been filed for de-sealing the premises/room of the petitioner as also to release the same in favour of the petitioner which has been seized and sealed by the Excise Officials on account of recovery of 18.75 liters of illicit foreign liquor in connection with Prohibition Patna P.S. Case No. 613 of 2025 dated 27.04.2025, registered under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Act, 2016



against one Harsh Kumar.

2. The learned counsel for the petitioner submits that the recovery of illicit foreign liquor has been made from the possession of one Harsh Kumar, who is the grandson of the petitioner and has got no share in the house in question and he had allegedly kept liquor in a bag beneath the bed kept in the said room, hence it is not the petitioner who is having any complicity in the alleged recovery of the illicit foreign 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/room 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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