

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No. 1200 of 2026**

=====

Ranjeet Chaudhary Son of Krishan Nandan Chaudhary, R/o- Rahui, P.S.-  
Rahui, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Excise Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Excise Department, Govt. of Bihar, Patna.
3. The Excise Commissioner, Patna Division, Patna.
4. The District Magistrate, Nalanda at Biharsharif.
5. The Excise Superintendent of Police, Nalanda at Biharsharif.
6. The S.H.O., Rahui Police Station, District- Nalanda.
7. The Investigating Officer, Rahui Police Station, District- Nalanda.

... .. Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Uday Prasad, Advocate  
For the Respondent/s : Mr. Divit Vinod, AC toSC-26

=====

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**

**and**

**HONOURABLE MR. JUSTICE ARUN KUMAR JHA**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)**

**Date: 16-03-2026**

The present petition has been filed for release of the house/premises of the petitioner which has been sealed in connection Rahui P.S. Case No. 459 of 2022 dated 28.08.2022, registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 (hereinafter referred to as “the Act 2018”) against the petitioner on account of recovery of 5 litres of illicit country made liquor from his house, upon search

being made pursuant to the petitioner being apprehended on the spot.

02. At the outset, learned counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate application under Rule 12B of the Bihar Prohibition and Excise (Amendment) Rules, 2022 (hereinafter referred to as the “Rules, 2022”) for release of the premises in question upon payment of penalty. Nonetheless, the learned counsel for the petitioner submits that the confiscation proceeding, initiated after lapse of several years, bearing Confiscation (Excise) Case No. 07 of 2026, by the learned Court of Sub-Divisional Magistrate, Bihar Sharif be stayed during the interregnum period.

03. 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 application under Rule 12B of the Rules, 2022 and in case such an application is filed within a period of three weeks from today, the concerned/competent authority shall consider the same on merits and shall pass a reasoned and a speaking order in accordance with law within a period of two weeks thereafter positively, failing which the premises/house of the petitioner shall be liable to be de-sealed forthwith.

04. It is needless to say that in case, appropriate petition is

filed by the petitioner under Rule 12B of the Rules, 2022, within a period of three weeks from today, the aforesaid confiscation proceedings shall remain stayed till passing of the final order by the competent authority under Rule 12B of the Rules, 2022.

05. The writ petition stands disposed on the aforesaid terms.

**(Mohit Kumar Shah, J)**

**(Arun Kumar Jha, J)**

Anuradha/-

|                   |            |
|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | N/A        |
| Uploading Date    | 25.03.2026 |
| Transmission Date | N/A        |