

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20886 of 2025

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Raja Kumar Son of Daroga Sahani, Resident of Village- Kerwan Dih, P.S.-
Kudhni, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Development of Registration and Excise, Government of Bihar.
2. The District Magistrate, Kaimur at Bhabhua.
3. The Superintendent of Police, Kaimur at Bhabhua.
4. The Sub-Divisional Officer, Kaimur at Bhabhua.
5. The S.H.O., Prohibition and Excise Police Station, District- Kaimur at Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Priyesh Kumar
For the Respondent/s : Mr. Government Pleader (05)

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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 directing the respondent authorities to release Mahindra Marazzo STR M2 vehicle bearing registration No. BR26PA-3657, Chassis No. MA1WA2ES1J2M17812 (MA1W2ES1J2M17812), Engine No. ESJZL08094, which has been seized on account of recovery of 103.68 liters of illicit foreign liquor, leading to registration of Kaimur (Bhabhua) Excise P.S. Case No. 647 of 2025 dated



12.10.2025 under Section 30(a), 32(i)(ii), 41(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate petition under Rule 12(A) of the Bihar Prohibition and Excise (Amendment) Rules, 2023 (hereinafter referred to as the 'Rules, 2023') for release of the vehicle on payment of penalty.

3. Per contra, the learned counsel for the respondent-State submits that in case appropriate petition is filed by the petitioner under Rule 12(A) of the Rules, 2023, the same would definitely be considered, in accordance with law, in case such petition of the petitioner has not already been decided earlier.

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(A) of the Rules, 2023 and in case, such a petition is filed within a period of three weeks from today, the learned Collector, Kaimur at Bhabhua shall consider the same, in accordance with law, and pass a reasoned and



speaking order within a period of six weeks thereafter.

5. Accordingly, the present writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

(Praveen Kumar, J)

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