

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1001 of 2026

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Asha Devi Wife of Ramratan Mahto, Resident of Village- Korla Ward No. 5,
Police Station- Adapur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Govt. of Bihar, Patna.
2. The District Magistrate, East Champaran.
3. The Superintendent of Police, East- Champaran.
4. The Officer Incharge, Ramgarwa Police Station, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Advocate
For the Respondent/s	:	Mr. Sunil Kr. Mandal, SC-3
		Ms. Neelam Kumari, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

- 3 23-03-2026 The present writ petition has been filed for release of the motorcycle bearing Registration No. BR05BM0995, Chassis No. MBLHAW221RHM75303 and Engine No. HA11E7RHM76816, which has been seized in connection with Ramgarwa P.S. Case No. 5128028250069 of 2025 dated 07.03.2025, registered under Section 317(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 on account of recovery of 12.21 liters of illicit Nepali liquor.



2. At the outset, the Ld. Counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate application under Rule 12A(2) of the Bihar Prohibition and Excise (Amendment) Rules, 2023 (hereinafter referred to as the 'Rules, 2023') for release of the motorcycle in question on payment of penalty. Liberty, so sought, is granted.

3. It is needless to state that in case appropriate application is filed by the petitioner under Rule 12A(2) of the Rules, 2023 within a period of two weeks from today, the competent authority shall consider the same on merits and pass a reasoned and a speaking order within a period of two weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

(Ramesh Chand Malviya, J)

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