

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1361 of 2026

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Guddu Khan Son of Kamsuddin, Resident of Village- Parewa, Ward No. 17,
Police Station- Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Prohibition and Excise Department Government of Bihar Patna.
2. The Director General of Police Bihar Patna.
3. The Commissioner of Excise, Bihar Patna.
4. The Collector cum District Magistrate, East Champaran.
5. The Superintendent of Police, East Champaran.
6. The Superintendent of Excise, Raxaul, East Champaran.
7. The SHO/Officer-in-Charge, Excise Police Station, Motihari, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sarvesh Kashyap, Advocate
For the Respondent/s	:	Mr. Birju Prasad, GP-13
		Ms. Shweta Anand, AC to GP-13

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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)

4 23-03-2026 The present writ petition has been filed for release of three wheeler Toto vehicle bearing Registration No. BR05RA4203, Chassis No. M38SEADB25F002875 and Engine No. 01223, which has been seized in connection with East Champaran Excise P.S. Case No. 1805 of 2025 dated 03.10.2025, registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 on account of



recovery of 18 litres of illicit can beer.

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 three wheeler Toto vehicle 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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