

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1486 of 2026

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Kumod Kumar Son of Bhagrit Rai, Resident of Village- Narkatiya, Police Station- Darpa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Excise, Government of Bihar at Patna.
2. The District Magistrate, East Champaran, Bihar.
3. The Superintendent of Police, East Champaran, Bihar.
4. The S.H.O, Govindganj Police Station, Govindganj, East Champaran.
5. The Investigating Officer of Govindganj P.S. Case No.- 224 of 2025, Darpa Police Station, East Champaran.
6. The S.H.O, Darpa Police Station, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan, Advocate Mr. Neeraj Prasad Sinha, Advocate
For the Respondent/s	:	Mr. Divit Vinod, AC to SC 26

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

2 02-02-2026 The present writ petition has been filed for release of the motorcycle of the petitioner bearing Registration No. BR05AU8432, Chassis No. ME4JC83EFNG053131, and Engine No. JC83EG3158669, which has been seized in connection with Darpa P.S. Case No. 224 of 2025, registered under Sections 274, 275, 317(5), 3(5) of the BNS, 2023 and Section 30(a) of the Bihar Prohibition & Excise Act, 2016 against the accused Kumod Kumar and others on account of recovery of 30 litres of illicit country made liquor.



2. At the very outset, the learned counsel for the petitioner submits that the petitioner be granted liberty to file appropriate petition under Rule 12A 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.

3. Learned counsel for the respondent-State has no objection.

4. Having regard to the facts and circumstances of the case, it is deemed fit and proper to grant liberty to the petitioner to file a petition under Rule 12A of the Rules, 2023 and in case such a petition is filed within a period of three weeks from today, the District Magistrate, East Champaran at Motihari/ his authorized officer shall consider the same on merit and pass a reasoned and a speaking order in accordance with law within a period of four weeks, thereafter.

5. Accordingly, the present petition stands disposed of.

(Mohit Kumar Shah, J)

(Alok Kumar Pandey, J)

alok/k.c.jha-

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