

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1531 of 2026

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Anup Sav Son of Ram Babu Saw Resident of Village- Salhalli, P.S.- Akilpur,
District- Saran, At Present Village- Mubarakpur Danapur, P.S.- Shahpur,
District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Old Secretariat, Patna.
2. The Chief Secretary, Government of Bihar, Old Secretariat, Patna.
3. The Principal Secretary, Department of Excise, Government of Bihar, Patna.
4. The District Magistrate, Saran, District- Saran.
5. The Superintendent of Police, Saran, District- Saran.
6. The S.H.O., P.S.- Akilpur, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoranjan Kumar, Adv.
For the Respondent/s : Mr. Sheo Shankar Prasad, SC-8
Mr. Sanjay Kumar, AC to SC-8

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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 09-02-2026 The present petition has been filed for directing the respondents to release Mahindra Bolero Pickup vehicle bearing Registration No. BR01GG6898, Chasis No. MA1ZN2TBKJ1D35760 and Engine No. TBJ1D45327 in favour of the petitioner, which has been seized by the police in connection with Akilpur P.S. Case no. 54 of 2022 dated 16.10.2022, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 against the driver and owner of the said vehicle on account of recovery of 1950 k.g. of Bhang



(Cannabis) from the said vehicle.

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

3. *Per contra*, the learned counsel for the Respondents-State submits that in case confiscation proceedings have not been concluded and the vehicle has not been auctioned, the aforesaid petition, to be filed by the petitioner for release of vehicle upon payment of penalty under Rule 12A of the Rules, 2023 shall definitely be considered in accordance with law and a reasoned and a speaking order would be passed within a stipulated time frame as is fixed by this Court.

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 12A of the Rules, 2023 and in case such a petition is filed within a period of four weeks from today, the Competent Authority shall consider the same on merits and pass a reasoned and a speaking order within a period of four weeks, thereafter, in case the vehicle in question has not



been auctioned.

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

(Mohit Kumar Shah, J)

(Alok Kumar Pandey, J)

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