



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5104 of 2026

Mukesh Kumar, S/o-Dhurup Prasad, R/o-Hafua Jeewan, P.S- Taryasujan,
District- Kusshinagar (U.P)

... .. Petitioner

Versus

1. The State of Bihar Through, Secretary Department of Excise, Bihar Patna.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The S.H.O Excise P. S, District Gopalganj

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Ashish Kumar Jha, Advocate Mr. Deepankar Raj, Advocate
For the Respondents	:	Mr. Alok Ranjan, AC to AAG-5

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

2 06-05-2026 Heard learned counsel for the petitioner and learned
AC to AAG-5 for the State.

2. The petitioner in the present writ application is
seeking the following reliefs:-

“i. For directing and commanding the respondent
authorities to release the vehicle, bearing
Registration No.-UP57BT7015, Engine No.-
TTR1C28418 and Chassis No.-
MA1ZN2TTKR1C36472 in favour of the
petitioner which has been seized in connection
with Excise P.S. Case No. 540 of 2025 registered
on 02.09.2025 under Section 30(a) and 32 of
Bihar Prohibition and Excise Amendment Act
2022 and further prayer of the petitioner is to
rectify the amount fined by S.D.O. Gopalganj and





further prayer of the petitioner is to impose the minimum penalty according to 12A of Bihar Prohibition and Excise Act-2016, i.e., 10% of the insured value which is equivalent to 73,670.

ii. For directing and commanding the respondent authorities to release the vehicle in the favour of the petitioner on the ground that the petitioner is the owner of the said vehicle and same is lying under open sky in the police station as nobody is there to take care of the vehicle.

iii. For directing and commanding the respondent authorities to rectify the amount under Rule-12A of Bihar Prohibition and Excise Amendment Act-2022.

iv. For issuance of any other relief or relief(s) for which the petitioner is entitled for.”

3. Considering that 1343.400 liters of illicit liquors are said to have been seized from the vehicle involved in transportation of the same, we are not inclined to exercise our extraordinary writ jurisdiction to interfere with the impugned order.

4. The writ application is dismissed.

(Rajeev Ranjan Prasad, J)

(Soni Shrivastava, J)

SUSHMA2/-

U			
---	--	--	--

