

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18474 of 2017

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Kavita Devi, Wife of Sri Kunjbihari Singh Resident of Mohalla-Jaynagar,
Rajputana Tola, P.S.-Jaynagar, Distt.-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar .
2. The Principal Secretary, Excise Department, Government of Bihar, Patna.
3. The District Magistrate, Madhubani
4. The Superintendent of Police, Madhubani.
5. The Officer-In-Charge, Police Station-Kaluahi, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandit
For the Respondent/s : Mr. Lalit Kishore -AG

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-12-2017 This writ petition has been filed for release of a vehicle

(White Color Xylo four wheeler) bearing Registration No. BR

06AB-8686, which has been seized in connection with Kaluahi

P.S. Case No. 17 of 2017 due to violation of the Bihar

Prohibition and Excise Act, 2016. The prayer made in the writ

petition is to release the vehicle in question pending finalization

of the confiscation proceedings and criminal case.

It is common ground that in various cases, identical in
nature, pending finalization of the confiscation proceedings
vehicles have been directed to be released by this Court on
various conditions and we see no reason to make a deviation in
the present case.



Keeping in view the aforesaid, it is directed that pending finalization of the confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing bank guarantee to the satisfaction of District Magistrate, Madhubani within a period of one week from the date of his furnishing the bank guarantee and further undertaking to produce the vehicle as and when directed by the District Magistrate, Madhubani and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case so as to cause adverse effect or prejudice to the State Government.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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