

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.752 of 2017

Pratap Lal

.... Petitioner/s

Versus

The State of Bihar & Ors.

.... Respondent/s

Appearance:

For the Petitioner/s : Mr. Sanjiv Kumar Singh, Advocate.

For the Respondent/s : Mr. Lalit Kishore, PAAG-1.

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 20-02-2017

The petitioner has invoked the writ jurisdiction of this Court for release of Scorpio bearing registration No. BR-10PA-5116 seized by the Bihar police in connection with G.R. Case No.1423 of 2016 arising out of Sangrampur P. S. Case No. 100 of 2016 registered under Section 47, 53(b) and 53(c) of the Bihar Excise (Amendment) Act, 2016, since confiscated by the learned District Magistrate-cum-Collector, Munger vide order dated 20th of August, 2016.

The questions in respect to confiscation of vehicle by the concerned authorities have been referred to the Larger Bench in L.P.A. No. 1647 of 2015. Since the very issue is pending consideration before the Larger Bench, we deem it appropriate to order release of Scorpio bearing registration No. BR-10PA-5116 to the petitioner on furnishing surety bonds to



the satisfaction of the District Magistrate-cum-Collector, Munger in connection with G.R. Case No.1423 of 2016 arising out of Sangrampur P. S. Case No. 100 of 2016, subject to the condition that the petitioner shall make available the vehicle in question before the authority concerned as and when required during the proceedings under the Bihar Excise Act.

List this case after the decision in L.P.A. No. 1647 of 2015.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

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