

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5418 of 2017

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Jawed Alam, Son of Yakub, resident of Mahboob Khan Tola, Police Station
K. Hat, District – Purnea.

.... Petitioner.

Versus

1. The State of Bihar through its Principal Secretary, Excise Department,
Govt. of Bihar, Patna.
2. The Divisional Commissioner, Excise Department, Purnea, Purnea
Division, Purnea.
3. District Magistrate, Purnea.
4. Superintendent of Police, Purnea.
5. Officer - Charge, K. Hat, P.S. K. Hat, Distt. Purnea.

.... Respondents

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Appearance :

For the Petitioner : Mr. Vikram Singh, Advocate.

For the Respondents : Mr. Anil Kumar Sinha, G.A. 1.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 04-05-2017 Seeking release of an Auto rickshaw bearing

Registration No. BR-11m 2783, Engine No. RZ02117583,

Chassis No. MBX0000ZFPD4911430 by the Sadar Police Station

in Sadar P.S. Case No. 382/2016, under Sections 272, 273 of the

I.P.C. and 30 of Bihar Prohibition Excise Act, 2016, this writ

petition has been filed.

Having heard learned counsel for the parties, it is

directed that pending finalization of the criminal case and the

confiscation proceeding, keeping in view various orders passed by



a co-ordinate Benches of this Court, we allow this writ application and direct for release of the vehicle in question, Auto rickshaw bearing Registration No. BR-11m 2783, Engine No. RZ02117583, Chassis No. MBX0000ZFPD4911430 to the petitioner on furnishing surety or security bonds to the satisfaction of the respondent no. 3, District Magistrate, Purnea, in connection with Sadar P.S. Case No. 382/2016 and further undertaking to keep the vehicle and produce before the District Magistrate, Purnea, as and when directed and further directed not to alienate during pendency of the proceeding for confiscation the vehicle in question, as released.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

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