

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5851 of 2017

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Sanjay Kumar Mandal, Son of Shri Bishundeo Mandal, resident of Railway
Quarter No. 4969/H, Daulatpur Colony, P.S.- Jamalpur, Distt- Munger.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Govt. of Bihar, Patna.
2. The Divisional Commissioner, Excise Department, Munger Division,
Munger.
3. The District Magistrate, Cum Collector.
4. Superintendent of Police, Munger.
5. Officer-in-Charge of Sangram Pur Police Station, Dist- Munger.

.... Respondents

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Appearance :

For the Petitioner : Mr. Jyoti Ranjan Jha, 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 a Maruti Alto Car K10, bearing

Registration No. BR08E-2177, Engine No. K10BN7506082 and

Chassis No. MA3EZDE1500153372 by the Sangrampur Police

Station in Sangrampur P.S. Case No. 108/2016, under Sections 47

and 53 (C) of the 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



co-ordinate Benches of this Court, we allow this writ application and direct for release of the vehicle in question, Maruti Alto Car K10, bearing Registration No. BR08E-2177, Engine No. K10BN7506082 and Chassis No. MA3EZDE1500153372 to the petitioner on furnishing surety or security bonds to the satisfaction of the respondent no. 3, District Magistrate-cum-Collector, Munger, in connection with Sangrampur P.S. Case No. 108/2016 and further undertaking to keep the vehicle and produce before the District Magistrate-cum-Collector, Munger, 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)

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(Sudhir Singh, J)

