

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6134 of 2017

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1. Shiv Shankar Kumar @ Sonu Kumar S/o Late Sanjay Kumar Singh, Resident of Mohalla- Sipahi Tola (Shivaji Colony), Near SBI Main Branch, Purnea, P.S.- K.Hat, District- Purnea (Bihar).
 2. Hari Shankar Kumar S/o Late Sanjay Kumar Singh, Resident of Mohalla- Sipahi Tola (Shivaji Colony), Near SBI Main Branch, Purnea, P.S.- K.Hat, District- Purnea (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
3. The Collector-cum- District Magistrate, Purnea, District- Purnea.
4. The Superintendent of Excise, Purnea, District- Purnea.
5. The S.H.O., Barhara Police Station, District- Purnea.

.... Respondent/s

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Appearance :

For the Petitioners : Mr. Raj Kishore Prasad, Advocate
For the Respondents : DR. Anil Kr. Upadhyaya, SC-2

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 18-05-2017

Seeking release of a vehicle, namely, Maruti Alto Car, Model K-10 VXi (silky silver colour) bearing registration No. BR-11P-5805, Engine No.4476510, Chassis No.420059, which has been seized in Barhara P.S. case No.19 of 2017 by Barhara police for offence under Section 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition & Excise Act, 2016, this writ petition has been filed.

Records indicate that confiscation proceedings are pending before the District Magistrate, Purnea, respondent No.3. However, this Court in various cases as are evident from Annexures 6



and 7 has directed for release of vehicle under such condition and pending finalization of the confiscation proceedings.

Keeping in view the aforesaid, we allow this application and direct for release of the vehicle, namely, Maruti Alto Car, Model K-10 VXI (silky silver colour) bearing registration No. BR-11P-5805, Engine No.4476510, Chasis No.420059 to the petitioners on furnishing surety bonds to the satisfaction of the District Magistrate-cum-Collector, Purnea in connection with in Barhara P.S. case No.19 of 2017, subject to the conditions that the petitioners shall make available the vehicle in question before the authority concerned as and when required during pendency of the proceedings under the Bihar Excise Act and further undertaking not to alienate or deal with the vehicle in any manner 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)

(Sudhir Singh, J)

Narendra/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	24.05.2017
Transmission Date	

