

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6647 of 2017

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1. Nawal Kishore Prasad Yadav, son of Ram Chandra Prasad Yadav, resident of Village- Saliya Kala, Tola- Adarkichak, P.S.- Fathepur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Excise, New Secretariat, Patna, Bihar.
2. The Collector, Gaya.
3. The S.P. Gaya.
4. The ASI, Mohanpur, P.S.- Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate
Mr. Rahi Pritam, Advocate

For the Respondent/s : AC to PAAG-1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

15 10-05-2017 Petitioner has filed this writ petition and seeks a *mandamus* for release of his vehicle Scorpio bearing Regn. No. B.R. 2K-9898, which has been seized and is under consideration in Barachati (Mohanpur) P.S. Case No.95 of 2017 pending before the District Magistrate, Gaya.

Under similar circumstances, directing for release of vehicle subject to finalization of the confiscation proceedings, there is an order passed in C.W.J.C. 5361 of 2017 on 2.5.2017.

We, accordingly, allow this petition.

It is directed that pending finalization of Barachati



(Mohanpur) P.S. Case No.95 of 2017 pending before the District Magistrate, Madhubani, the vehicle in question shall be released to the petitioner on his furnishing two surety bonds to the satisfaction of the District Magistrate, Gaya and further undertaking to produce the vehicle as and when directed by the District Magistrate, Gaya and not to alienate the vehicle during the pendency of the confiscation proceedings or the criminal proceedings.

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

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.jha/-

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