

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8174 of 2017

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Subodh Kumar, Son of Vindeshwar Prasad Resident of Village--Khabara,
P.O.-Dhibri, P.S.-konc, 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, Fatehpur P.S., District-gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Adv.
Sarita Kumari, Adv.

For the Respondent/s : Mr. Kumar Manish-Sc5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 22-06-2017 Vehicle of the petitioner being Bolero with registration no. BRO2Y-6501 has been seized by the Gaya police in connection with Fatehpur P.S. Case No. 67 of 2017, Gaya, for the offence under sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act. The confiscation proceedings are pending consideration before the Collector, Gaya. The matter of seeking release of the vehicle in question is pending finalization of the proceeding initiated vide Fatehpur P.S. Case No. 67 of 2017. This court in various cases has considered similar issues, and pending such cases, has



directed for release of the vehicle in question.

Keeping in view the aforesaid, this application is allowed with direction to the petitioner to file a certified copy of this order before the competent authority and on his furnishing two sureties bond to the satisfaction of District Magistrate concerned or the competent authority and, further giving the undertaking to produce the vehicle as and when directed by the District Magistrate/Competent Authority and not to alienate the vehicle in question or deal with it in any manner whatsoever during the pendency of the proceedings, the vehicle in question shall be released to the petitioner.

With the aforesaid, the petition is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Ravi/-

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