

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8758 of 2017

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1. Hari Kumar Sah, Son of Late Ram Narayan Sah, Resident of Khirni Bazar P.S.
Kasba District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar, through Principle Secretary Excise Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner Excise Department Purnea Division, Purnea.
3. The Superintendent of Police, Purnea.
4. The Officer-in-Charge K. Hatt Assistant Police Station Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Md. Soban Asghar Mr. Kahkashan Alam, Advocates
For the State	:	Mr. Anil Kr. Sinha- GA1 Mr. Pawan Kumar, AC to GA 1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 10-07-2017

This application has been filed seeking release of a Mahendra Maximo Mini Van bearing registration No. BR11M5223, Engine No. Mcc6j36609, Chassis No. MA1FB2MCRC6J42049. The vehicle has been seized by the police in connection with K. Hatt (Sahayak) P.S. Case No. 455 of 2016 under Section 272 of the Indian Penal Code and Section 30 of the Bihar Prohibition and Excise Act, 2016.

Keeping in view the fact that in various cases identical in nature, pending finalization of the criminal case and the



confiscation proceeding, this Court has directed release of the vehicles, we allow this petition. It is directed that pending finalization of the criminal case and the confiscation proceeding, the vehicle in question bearing registration No. BR11M5223, Engine No. Mcc6j36609, Chassis No. MA1FB2MCRC6J42049 shall be released to the petitioner on furnishing surety or security bonds to the satisfaction of the District Magistrate, Purnea, subject to the condition that the petitioner shall make available the vehicle in question before the authority concerned as and when directed and further that he shall undertake not to alienate the vehicle or deal with it in any manner whatsoever during the pendency of the criminal proceedings and confiscation proceedings in the interest of the State.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

S.Pandey/-

(Anil Kumar Upadhyay, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.7.2017
Transmission Date	

