

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12638 of 2017

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Arun Kumar Mandal, Son of Jitan Mandal, Resident of Laxmipur (Pakra)
P.S.- Naugachhiya, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration Excise and Prohibition Department, Government of Bihar, Patna.
2. The Commissioner Excise, New Secretariat, Registration Excise and Prohibition Department, Government of Bihar, Patna.
3. The District Magistrate, Katihar.
4. The Excise Superintendent, Katihar.
5. The S.H.O. Korha Police Station, Katihar.
6. The Assistant Sub-Inspector, Korha Police Station, District- Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar, Advocate
For the Respondent/s : Mr. VIKASH KUMAR -SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-09-2017

This writ petition has been filed for release of the vehicle in question, namely, Bolero Pick Up, bearing Registration No. BR-51G-0919, which has been seized in connection with Korha P.S. Case No. 108 of 2017 registered under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act and the prayer made in the writ petition is to release the vehicle in question pending finalization of the confiscation proceedings and criminal case.

It is common ground that in various cases,



identical in nature, pending finalization of the confiscation proceedings vehicles have been directed to be released by this Court on various conditions and we see no reason to make a deviation in the present case.

Keeping in view the aforesaid, it is directed that pending finalization of the aforesaid confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing two surety bonds to the satisfaction of District Magistrate, Katihar and further undertaking to produce the vehicle as and when directed by the District Magistrate, Katihar and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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