

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12729 of 2017

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Madhuresh Kumar @ Madhuresh Sharma son of Vinkatesh Sharma,
Regional of Village Ushari Chakia, Police Station- Mehendiya, District-
Arwal.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Excise and Prohibition, Govt. of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Senior Superintendent of Police, Patna.
4. The Excise Superintendent, Patna.
5. The Officer In-charge, Shastri Nagar Police Station, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar
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)

2 13-10-2017 The Yamaha R15 motorcycle bearing

Registration No. BR-01CW-8877 has been seized and confiscation proceeding has been initiated under the Bihar Prohibition and Excise Act, 2016 by the District Magistrate, Patna.

Seeking release of the vehicle in question, this writ petition has been filed and it is common ground that in various cases, similar petitions have been allowed and pending finalization of the confiscation proceedings, seized vehicle has been directed to be released.



Keeping in view the aforesaid, this petition is also allowed and the vehicle in question i.e. Yamaha R15 motorcycle bearing Registration No. BR-01CW-8877 shall be released to the petitioner on his furnishing two sureties to the satisfaction of the District Magistrate, Patna, 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 confiscation proceedings before the District Magistrate so as to cause adverse effect or prejudice to the State Government.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

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