

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13911 of 2017

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Rabindra Prasad Yadav Son of Late Yugal Prasad Yadav Resident of
Madhepura, Ward No. 21, P.S. & District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Excise Department, Bihar,
Patna.
2. Collector Cum District Magistrate, Madhepura.
3. Superintendent of Police, Madhepura.
4. Excise Superintendent, Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma

For the Respondent/s : Mr. Anil Kr. Sinha-GA1

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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

Issue notice.

Sri. Anil Kumar Sinha, GA-I takes notice for the
respondents.

Respondents to file counter affidavit within four
weeks.

List for analogous hearing along with L.P.A. No.
1647 of 2015 and other connected cases.

In the meanwhile, keeping in view the interim
order passed in Letters Patent Appeal No. 1647 of 2015 and the
question as to whether the Collector can pass an order of



confiscation which is pending consideration before the Division Bench of this Court, we allow the interim prayer and direct for release of the vehicle in question, namely Bolero bearing Registration No. BR-43A-1390, on the petitioner submitting adequate sureties to the satisfaction of the Collector-cum-District Magistrate, Madhepura and further undertaking not to alienate the vehicle or deal with it adverse to the interest to the State, and produce it before the Collector-cum-District Magistrate, Madhepura as and when directed.

(Rajendra Menon, CJ)

Shageer/-

(Anil Kumar Upadhyay, J)

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