

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.2463 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- NAWADA

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Vikash Kumar Pandey, Son of Gauri Shankar Pandey, Resident of Village- Maya,
Post- Shishma, P.S.-&, District- Nawada.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The District Magistrate, Nawada.
5. The Excise Superintendent of Police, Nawada.
6. The Station Head Officer, Police Station Akbarpur, Nawada.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Adv.
For the Respondent/s : Mr. Anil Kumar Sinha, G.A.-1.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 13-12-2017

Heard learned counsel for the petitioner and the State.

2. This writ application has been preferred for release of the vehicle bearing registration no.BR 21G-3072, which was seized in connection with Akbarpur P.S. Case No.202/2017 for alleged violation of the Bihar Excise Law.

3. The constitutional validity of the provisions of Sections 56, 57, 58 and 60 of the Bihar Prohibition and Excise Act, 2016 is under challenge in **Cr. W.J.C. No. 2446 of 2017 (Rahul Kumar @ Rahul V. The State of Bihar and others)** and the matter is pending before the Larger Bench of this Court.



4. There is no allegation of any recovery from the vehicle, hence, the respondents are directed to release the referred vehicle in favour of the petitioner by way of ad interim custody on execution of surety bond of Rs.6,00,000/- (Six Lacs), not in the form of cash/Bank Guarantee, along with two sureties of the like amount to the satisfaction of the authority concerned with condition that the petitioner shall not dispose of the said vehicle without permission of the authority concerned and shall produce as and when required by the Court.

5. With the aforesaid observation, this writ application stands disposed of.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.12.2017
Transmission Date	18.12.2017

