

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18201 of 2017

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Dhiraj Sehrawat son of Tiydgvur Sehrawat flat no. 501, Karamyogi Society,
Sector 10, Gurgaon, P.S. Gurgaon, District Gurgaon, Haryana. ... Petitioner/s
Versus

1. The State of Bihar through the Commissioner, Excise Department, State of Bihar, Patna.
 2. The Collector cum District Magistrate, Kaimur at Bhabua.
 3. The Superintendent of Police, Kaimur at Bhabua.
 4. The Officer-in-Charge of Durgawati Police Station, Kaimur at Bhabua.
- Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Respondent/s : Mr. KUMAR MANISH - SC-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 12-12-2017 This writ petition has been filed for release of Scorpio Jeep bearing Registration No. HR 26 CV 3427 along with seized articles as indicated in the seizure memo including the ATM Card and other documents which have been seized in connection with Durgawati P.S. Case No. 73 of 2017 for violation of the Bihar Prohibition and Excise Act, 2016. The prayer made in the writ petition is to release the vehicle in question and other articles pending finalization of the confiscation proceedings and criminal case.

Seeking release of the vehicle in question and other articles, 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 writ petition is also allowed and the vehicle in question, i.e. Scorpio Jeep bearing Registration No. HR 26 CV 3427 along with seized articles as indicated in the seizure memo including the ATM Card and other documents except the liquor shall be released to the petitioner on his furnishing two sureties to the satisfaction of the District Magistrate, Kaimur at Bhabua within a period of one week from the date of furnishing the sureties, 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, Kaimur at Bhabua 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)

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