

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.18470 of 2017**

Prabhunath Singh, Son of Late Nag Narayan Singh, resident of Village- Hassanpura, P.S.- Hassanpura, District- Siwan, at present residing at Siswan Dhala, Laxmipur, P.S.- Siwan, Town, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise, Prohibition & Registration Department, Government of Bihar, Patna.
2. The Collector- Cum-District Magistrate, Siwan.
3. The Superintendent of Excise, Siwan.
4. The Superintendent of Police, Siwan.
5. The Officer In Charge, Mairwa Police Station, Siwan.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Prabhakar Singh, Advocate  
For the Respondent/s : Mr. Kumar Manish, SC5

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      15-12-2017              This writ petition has been filed for release of a vehicle (Truck) bearing Registration No. BR 1G-7923, which has been seized in connection with Mairwa P.S. Case No.254 of 2017 due to violation of the Bihar Prohibition and Excise Act, 2016. 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 confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Siwan within a period of one week from the date of his furnishing the sureties and further undertaking to produce the vehicle as and when directed by the District Magistrate, Siwan and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case so as to cause adverse effect or prejudice to the State Government.

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

**(Rajendra Menon, CJ)**

**(Anil Kumar Upadhyay, J)**

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