

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17710 of 2017

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Mukesh Chaudhary Son of Late Triloki Chaudhary resident of Village -
Baidhnathpur, P.S. - Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registrar, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate Cum Confiscation Officer, Muzaffarpur.
3. The Superintendent of Police, Muzaffarpur.
4. The Officer In Charge, Sadar Police Station, District - Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan
For the Respondent/s : Mr. VIVEK PRASAD - GP7

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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 Hero I Smart Splendor Motorcycle bearing Registration No. BR 06AZ-9715 which has been seized in connection with Sadar P.S. Case No. 226 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 pending finalization of the confiscation proceedings and criminal case.

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 writ petition is also allowed and the vehicle in question, i.e. Hero I Smart Splendor Motorcycle bearing Registration No. BR 06AZ-9715 shall be released to the petitioner on his furnishing two sureties to the satisfaction of the District Magistrate, Muzzaffarpur 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, Muzaffarpur 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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