

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12563 of 2017

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Rakesh Kumar @ Rakesh @ Raka, S/o Sri Shiv Kumar Singh, R/o Mohalla-
Rajputana, P.S.- Garanibagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Registration, Excise & Prohibition Department, Government of Bihar, Patna.
2. The Principal Secretary, Registration, Excise & Prohibition Department, Government of Bihar, Patna.
3. The Collector, District- Patna.
4. The Superintendent of Police, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh
For the Respondent/s : Mr. KUMAR MANISH -SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-09-2017 Seeking release of a vehicle, namely, 2-wheeler scooty, bearing registration No. JBR-01CX-9540, which has been seized in Gardanibagh P.S. case No.105 of 2017 by Gardanibagh Police Station for offence under Sections 38 (I), 41(I) (II) of the Bihar Prohibition & Excise Act, 2016, this writ petition has been filed.

Keeping in view the series of orders passed in similar circumstances granting liberty to the respondents to proceed, if so advised with regard to confiscation proceedings, we direct for release of vehicle, namely, Two-wheeler scooty, bearing registration No. BR-01CX-9540 to the petitioner on furnishing



surety bonds to the satisfaction of the District Magistrate, Patna in connection with Gardanibagh P.S. case No.105 of 2017, subject to the conditions that the petitioner shall make available the vehicle in question before the authority concerned as and when required during pendency of the proceedings under the Bihar Excise Act and further undertaking not to alienate or deal with the vehicle in any manner 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)

spandey/-

(Anil Kumar Upadhyay, J)

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