

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1715 of 2017

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

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1. Yugal Kishore Bhagat, son of Khublal Bhagat, Resident of Village- Bhatolia,
P.S. Bathnaha, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and
Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Sitamarhi, District- Sitamarhi.
3. The Superintendent of Police, Sitamarhi, District- Sitamarhi.
4. The Station Head Officer, Sitamarhi Police Station, District- Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Respondent/s : Mr. Kumar Manish, SC-5

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 09-10-2017

Heard learned counsel for the petitioner and the State.

2. The writ application has been filed for direction to the respondents to release the motorcycle of the petitioner bearing registration No.BR-06AA-7408 which was seized in connection with Sitamarhi P.S. Case No.555 of 2016, a case registered for violation of the Excise laws.

3. Commercial quantity of liquor which is prohibited in the State of Bihar was recovered from the vehicle of the petitioner bearing registration No. BR-06AA-7408.

4. A division Bench of this Court while releasing the



vehicle in favour of the petitioner in CWJC No.13670 of 2017 **(Subhash Thakur V. The State of Bihar & Ors.)** ordered for release of the vehicle on furnishing bank guarantee equivalent to the value of the vehicle.

5. Hence, let the aforesaid vehicle be released, by way of interim custody, in favour of the petitioner on execution of the bank guarantee of Rs.50,000/- (Fifty Thousand) to the satisfaction of the learned Special Judge (Excise Act), Sitamarhi/Successor Court.

6. With the aforesaid observation, this writ application stands disposed of. The release shall be subject to the result of the L.P.A. No.1647 of 2015 **(Baleshwar Roy V. The State of Bihar & ors.)**.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.10.2017
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