

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14350 of 2017

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Deepak Kumar Singh, Son of Bhola Nath Singh, Resident of Chaytola,
Town/Village- Dilli Divanganj, Anchal/Thana- Aredabad, District- Katihar-
854117.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principle Secretary, Excise Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Excise Department, Purnea.
3. District Magistrate, Katihar.
4. Superintendent of Police, Katihar.
5. Officer-in-charge, K. Hat, Distt- Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate
For the Respondent/s : Mr. VIKASH KUMAR -SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 09-10-2017

This writ petition has been filed for release of a vehicle bearing Registration No. BR -11H-3426, which has been seized in connection with Manihari P.S. Case No. 229/2017 due to violation of the Excise Act. The prayer made in the writ petition is to release the vehicle in question pending finalization of the confiscation proceedings and criminal case.

No amount of liquor has been seized. The allegation is that the petitioner and the other passengers in the vehicle were found in drunken condition.



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 aforesaid confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing two surety bonds to the satisfaction of District Magistrate, Katihar and further undertaking to produce the vehicle as and when directed by the District Magistrate, Katihar and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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