

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15550 of 2017

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Suryakant Kumar, aged about 25 years, S/o Basudeo Ojha, R/o Saidpur Kothia, P.O.+P.S.- Digha, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The S.S.P. Excise Department, Patna.
4. The Superintendent of Police, Patna.
5. The S.H.O., Shri Krishna Police Station, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Durga Narayan, Advocate
For the Respondent/s : Mr. Lalti Kishore -AG

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 07-11-2017 This writ petition has been filed for release of Glamour F1 motorcycle bearing Registration No. BR-21J 0646 which has been seized in connection with Sri Krishnapuri P.S. Case No. 198 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 and the criminal case, seized



vehicle has been directed to be released.

Keeping in view the aforesaid, this petition is also allowed and the vehicle in question, i.e. Glamour F1 motorcycle bearing Registration No. BR-21J 0646 shall be released to the petitioner on his furnishing adequate sureties to the satisfaction of the District Magistrate, Patna, 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, Patna 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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