

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1791 of 2017

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1. Krishna Kumar Singh S/o Nagendra Singh Resident of Village-
Niranjanpur, P.O.- Diwan ka Badka Gaon, P.S.- Koransarai, District-
Buxar.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department of Patna.
2. Divisional Commissioner, Excise Department, Patna Division at Patna.
3. District Collector, Buxar.
4. The Superintendent of Police, Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta
For the Respondent/s : Mr. Kumar Manish- SC 5

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 16-02-2017 Learned counsel for the petitioner is permitted to

make necessary correction in paragraph 1 of the writ petition in

respect of registration number of the motor vehicle in question.

Prayer is allowed, as prayed for.

The petitioner has invoked the writ jurisdiction of this

Court for release of Bajaj Pulsar Motor Cycle bearing registration

No. BR44D- 7186 seized by the Bihar Police in connection with

Complaint Case No. 286(O) of 2016 registered under Section

47(a) and 53(b) of the Bihar Excise (Amendment) Act, 2016,

which has been sent to the learned District Magistrate-cum-



Collector, Buxar for confiscation.

The questions in respect to confiscation of vehicle by the concerned authorities have been referred to the Larger Bench in L.P.A. No. 1647 of 2015. Since the very issue is pending consideration before the Larger Bench, we deem it appropriate to order release of Bajaj Pulsar Motor Cycle bearing registration No. BR44D- 7186 to the petitioner on furnishing surety bonds to the satisfaction of the District Magistrate-cum-Collector, Buxar in connection with Complaint Case No. 286(O) of 2016 subject to the condition that the petitioner shall make available the vehicle in question before the authority concerned as and when required during the proceedings under the Bihar Excise Act.

List this case after the decision in L.P.A. No. 1647 of 2015.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

Amin/-

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