

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2139 of 2017

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Gautam Kumar, Son of late Bharat Panjiyar, Resident of Village-Saidnagar, Near Sai Baba Mandir, P.S.- Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar, through the Secretary, Excise Department, Government of Bihar, Patna.
2. The District Magistrate, Darbhanga, At & PO- Darbhanga, District-Darbhangha.
3. The Excise Superintendent, Darbhanga, At & PO- Darbhanga, District-Darbhangha.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha
For the Respondent/s : Mr. Vivek Prasad- Gp7

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-10-2017

Issue notice.

Sri. Vivek Prasad, Government Pleader-7 takes notice for the respondents.

Respondents to file counter affidavit within four weeks.

List for analogous hearing along with L.P.A. No. 1647 of 2015 and other connected cases.

In the meanwhile, keeping in view the interim order passed in Letters Patent Appeal No. 1647 of 2015 and the question as to whether the Collector can pass an order of



confiscation which is pending consideration before the Division Bench of this Court, we allow the interim prayer and direct for release of the vehicle in question, namely Scooty bearing Registration No. BR-06AH/1299, on the petitioner submitting two sureties to the satisfaction of the Collector-cum-District Magistrate, Darbhanga and further undertaking not to alienate the vehicle or deal with it adverse to the interest to the State, and produce it before the Collector-cum-District Magistrate, Darbhanga as and when directed.

(Rajendra Menon, CJ)

Shageer/-

(Anil Kumar Upadhyay, J)

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