

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15407 of 2017

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Chandan Kumar @ Prahlad Kumar, son of Shyam Sundar Ram, resident of
village- Uparki Bazar, Ekangarsarai, P.S. Ekangarsarai, District- Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of
Excise, Government of Bihar, Patna
2. The District Magistrate, Nalanda at Biharsharif
3. The Superintendent of Police, Nalanda at Biharsharif
4. The Officer-in-charge, Ekangarsarai, P.S. Ekangarsarai, District-
Nalanda

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinod Pandey
For the Respondent/s : Mr. VIKASH KUMAR - SC-11

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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 Honda
motorcycle bearing Registration No. BR-21L-1596 which has
been seized in connection with Ekangarsarai P.S. Case No. 149
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. Honda motorcycle bearing Registration No. BR-21L-1596 shall be released to the petitioner on his furnishing adequate sureties to the satisfaction of the District Magistrate, Nalanda at Biharsharif, 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, Nalanda at Biharsharif 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)

spandey/-

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