

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6636 of 2017

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Sunil Yadav @ Sonu Yadav, Son of Ashok Yadav, Resident of Village- Kripalpur,
P.S.- Durgawati, District- Kaimur (Bhabhua).

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna
3. The Collector-cum- District Magistrate, Kaimur, District- Kaimur.
4. The Superintendent of Excise, Kaimur, District- Kaimur.
5. The S.H.O., Durgawati Police Station, District Kaimur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate.

For the Respondent/s : Mr. Pawan Kumar, AC to GA-1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 19-05-2017

Petitioner's vehicle bearing Hero Splendor (Plus) bearing chassis no. 10CGGHKF9555, Engine No. HA10ERGHKC4143 has been seized and is pending in the consideration in a confiscation proceeding initiated under the Bihar Prohibition and Excise Act, 2016 before the District Magistrate, Kaimur, District- Kaimur and pending finalization of the confiscation proceeding, petitioner seeks release of the vehicle.

This Court in various cases including C.W.J.C. No. 19326 of 2016 on 10.02.2017 has directed for release of the vehicle.



Keeping in view the aforesaid, this application is also allowed and the vehicle of the petitioner bearing chassis no. 10CGGHKF9555, Engine No. HA10ERGHKC4143 shall be released to the petitioner, subject to final decision of the confiscation proceeding, on the petitioner submitting security bond to the satisfaction of the District Magistrate and further undertaking to make the vehicle available during the pendency of the proceeding before the District Magistrate, as and when directed and further undertaking not to alienate the vehicle or deal in any manner whatsoever, not to cause prejudice to the state, takes steps in the pending confiscation proceeding. Subject to petitioner fulfilling the aforesaid condition, the vehicle shall be released in favour of the petitioner.

The petition stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Amit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30-05-2017
Transmission Date	NA

