

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8344 of 2017

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Sunil Kumar, son of Giridhari Singh, resident of Mohalla- Jahaj Ghat, Nagar Parishad Buxar, Police Station Buxar (Town), District- Buxar.

.... Petitioner/s

Versus

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

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta

For the Respondent/s : Mr. Lalit Kishore (PAAG1)

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 20-06-2017

Inter alia contending that petitioner's vehicle, a Scorpio bearing Registration No. BR 7P 1356 has been seized in Case No. 1500 of 2017, arising out of Rajpur P.S. Case No. 127 of 2017 for the offence under Sections 272, 273 of the Indian Penal Code and 30(a) of the Bihar Excise Prohibition Act, 2016, this application has been filed for release of the vehicle in question.

Various orders passed by this Court have been placed before this Court which go to show that pending finalization of the confiscation proceedings vehicles have been directed to be released on condition as are indicated in the orders (Annexure-3



series).

Keeping in view the aforesaid and with a view to maintain parity, we allow this application in part. Pending finalization of the confiscation proceedings, the District Magistrate, Buxar is directed to release the Scorpio vehicle of the petitioner bearing Registration No. BR 7P 1356 on his furnishing two surety bonds to the satisfaction of the District Magistrate, Buxar in Case No. 1500 of 2017, arising out of Rajpur P.S. Case No. 127 of 2017, 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.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

AFR/NAFR	N.A.F.R
CAV DATE	N.A
Uploading Date	21/06/2017
Transmission Date	N.A

