

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14759 of 2017

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Kamaldeo Thakur, S/o Bitan Thakur, Resident of Village- Basauna, P.S.-
Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar, through its Principal Secretary, Excise Department, Patna (Bihar).
2. The Divisional Commissioner, Excise Department, Bihar Division, at Patna.
3. The District Magistrate, Jamui.
4. The Superintendent of Police, Jamui.
5. The S.H.O., Chakai, Police Station District- Jamui.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Respondent/s : Mr. Vikash Kumar-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 13-10-2017

The Bolero vehicle bearing Registration No. BR-

9D-7244 has been seized and confiscation proceeding has been initiated under the Bihar Prohibition and Excise Act, 2016 by the District Magistrate, Jamui.

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, 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. Bolero vehicle bearing Registration No. BR-9D-7244 shall be released to the petitioner on his furnishing bank guarantee to the satisfaction of the District Magistrate, Jamui, 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 so as to cause adverse effect or prejudice to the State Government.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

Shageer/-

(Anil Kumar Upadhyay, J)

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