

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17492 of 2017

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Rahul Kumar Singh Son of Ranjit Prasad Singh Resident of Village-
Rambagh Professor Colony, Purne Police Station- Sadar Purnea, District-
Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary Excise Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Excise Department, Katihar Division, Katihar.
3. District Magistrate, Katihar.
4. Superintendent of Police, Katihar.
5. Officer-in-Charge Balrampur, Police Station Balrampur, District- Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate
For the Respondent/s : Mr. Vikash Kumar -SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 11-12-2017 This writ petition has been filed for release of Apache

Motorcycle bearing Registration No. BR-11X-9772, which has

been seized in connection with Balampur P.S. Case No. 119 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, 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. Apache Motorcycle bearing Registration No. BR-11X-9772, shall be released to the petitioner on his furnishing two sureties to the satisfaction of the District Magistrate, Katihar, 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, Katihar 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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