

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.2628 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- PATNA

- =====
1. Amit Oberoi S/o Raj Kumar Oberoi Resident of Mohalla- A-65 Hariom Appt.
Exhibition Road, P.S. Gandhi Maidan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar Through D.g.p. Bihar, Patna.
2. The Collector Cum-District Magistrate, Patna.
3. S.H.O. Danapur, Patna.
4. The Principal Secretary Excise Department, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Md. Shahnawaz Ali, Advocate
For the Respondent/s : Mr. Vikash Kumar, SC-11

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 13-12-2017

Petitioner is permitted to delete the prayer regarding
quashing of F.I.R. of Danapur P.S. Case No.476 of 2017.

2. Heard learned counsel for the petitioner and the State.

3. This writ application has been preferred for release of
the vehicle bearing registration No.BR01BF/8572, which was seized
in connection with Danapur P.S. Case No.476 of 2017 for alleged
violation of the Bihar Excise Law.

4. The constitutional validity of the provisions of Sections
56, 57, 58 and 60 of the Bihar Prohibition and Excise Act, 2016 is
under challenge in **Cr. W.J.C. No. 2446 of 2017 (Rahul Kumar @**



Rahul V. The State of Bihar and others) and the matter is pending before the larger Bench of this Court.

5. Hence, the respondents are directed to release the referred vehicle in favour of the petitioner on execution of surety bond of Rs.3,00,000/- (Three lacs), not in the form of cash/Bank Guarantee, along with two sureties of the like amount to the satisfaction of the learned Court-below/authority concerned where the case is pending, with condition that the petitioner would not dispose of the said vehicle without permission of the authority concerned and shall produce as and when required by the Court.

6. With the aforesaid observation, this writ application stands disposed of.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	15.12.2017
CAV DATE	NA
Uploading Date	15.12.2017
Transmission Date	15.12.2017

