

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15831 of 2017

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Manoj Kumar Sharma, S/o Lekho Sharma, resident of Village- Tilokari, P.S.
Jai Nagar, District- Koderma

... .. Petitioner/s

Versus

1. The State Of Bihar through the Excise Commissioner, Gogernment of Bihar, Patna
2. The District Magistrate, Gaya, District- Gaya
3. The Senior Superintendent of Police, Gaya, District- Gaya
4. The Superintendent of Police, Excise, Gaya, District- Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha, Advocate
For the Respondent/s : Mr. Anil Kumar Sinha, GA-1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-11-2017 This writ petition has been filed for release of Safari Car bearing Registration No. HR-51X-9966 which has been seized in connection with Barachatti P.S. Case No. 523 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. Safari Car bearing Registration No. HR-51X-9966 shall be released to the petitioner on his furnishing adequate Bank Guarantee to the satisfaction of the District Magistrate, Gaya, 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, Gaya 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)

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