

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18561 of 2017

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Chote Choudhary, son of Kishori Chaudhary, Resident of Mohalla- East
Lohanipur, Ambedkar Colony, P.S._Kadamkuan, Distt. Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Excise
Department, Govt. of Bihar, Patna
2. The Distt. Magistrate, Patna
3. The Senior Superintendent of Police, Patna
4. The Officer-in-charge, Gaurichak Police Station under Distt. Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1
For the Respondent/s : Mr. VIVEK PRASAD -GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-12-2017 This writ petition has been filed for release of Hero
Honda Splendor Pro bearing Registration No. BR 01 BY 3635
which has been seized in connection with Gaurichak P.S. Case
No. 187 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 writ petition is also allowed and the vehicle in question, i.e. Hero Honda Splendor Pro bearing Registration No. BR 01 BY 3635 shall be released to the petitioner on his furnishing two sureties to the satisfaction of the District Magistrate, Patna within a period of one week from the date of furnishing the sureties, 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, Patna so as to cause adverse effect or prejudice to the State Government.

With the aforesaid, the petition stands disposed of

(Rajendra Menon, CJ)

spandey/-

(Anil Kumar Upadhyay, J)

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