

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1702 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- WESTCHAMPARAN(BETTIAH)

- =====
1. Washi Ahmad @ Wais Ahmad Son of Late Md. Alim Resident of Ganj No. 1, Ilamram Chowk, P.S. - Bettiah Town, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Exise Dept, West Champaran.
2. The Superintendent of Police, West Champaran, Bettiah.
3. The S.H.O. Bettiah, Town.

.... Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date: 15-11-2017

Heard learned counsel for the petitioner and the State.

2. Commercial quantity of liquor was recovered from the Scorpio of this petitioner bearing registration No.BR-05P 1670 and Bettiah Town P.S. Case No.454 of 2017 was registered under the Bihar Excise Law.

3. The present writ application has been filed challenging the confiscation order on the ground that pre-trial confiscation is bad-in-law and the aforesaid issue is under consideration before a larger Bench of this Court in **LPA No.1647 of 2015 Baleshwar Roy V. The State of Bihar & Ors.** Hence, till adjudication of the



aforesaid issue, interim release of the vehicle be ordered as no purpose is going to be served by its continued detention in police lockup.

4. After hearing the parties and finding substance in the submission aforesaid, let the vehicle, in question, be released in favour of the petitioner by way of ad interim custody on execution of **bank guarantee of Rs.6,00,000/- (Six Lacs)** 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.

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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.11.2017
Transmission Date	17.11.2017

