

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14118 of 2017

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Harendra Tripathi S/o Sri Shivakant Tripathi R/o Village - Billauti, P.S.
Shahpur, Distt - Bhojpur (Ara).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Bihar, Patna.
2. The District Magistrate, Bhojpur (Ara).
3. The Superintendent of Police, Bhojpur at Ara.
4. The Station House Officer (S.H.O.) Shahpur Police Station, District Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate
For the Respondent/s : Mr. AC to GP 7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 03-10-2017

This petition has been filed for release of Mahindra Bolero Vehicle bearing Registration No.BR03PA 2986 which has been seized by the police officials of Shahpur Police Station, District-Bhojpur (Ara) on 22.03.2017 and Shahpur P.S. Case No.50 of 2017 has been registered for the offences under Sections 30(a), 56(d)/ 53 of the Bihar Prohibition and Excise Act, 2016 read with Section 25(1-b) a, 26 and 35 of the Arms Act.

In the vehicle in question, apart from various arms, 48 bottles of fruitinuma packet and 42 piece English wine were being



transported and the proceedings for confiscation have already been initiated by the competent authority.

Keeping in view the facts and circumstances of the case and the orders passed directing for release of the vehicle in similar circumstances, we allow this petition and direct for release of the vehicle in question, bearing Registration No.BR03PA 2986 on the petitioner's furnishing Bank Guarantee to the satisfaction of the District Magistrate, Bhojpur (Ara) with regard to the value of the vehicle and further undertaking not to alienate the vehicle or deal with it adverse to the interest of the State and produce it before the District Magistrate as and when directed.

With the aforesaid, the petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.10.2017
Transmission Date	

