

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No. 1967 of 2017

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

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Sachida Nand Thakur, Son of Late Bhuneshwar Thakur, R/O Village Rajapur
Parasanpah, P.S. Simri, Dist. - Buxar

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary Food & Civil Supply Dept. Govt. of Bihar, Patna
3. The District Magistrate, Buxar
4. The Superintendent of Police, Buxar
5. The officer-in-charge, Simri Police Station, District Buxar

.... Respondents

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Appearance :

For the Petitioner : Dr. Kamal Deo Sharma, Advocate

For the Respondents : Mr. S. Raza Ahmad, AAG5

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 17-10-2017

Heard learned counsel for the parties.

Pickup Van of the petitioner bearing registration no.

BR44G/1270 was seized by the police in connection with Simri P.S.

Case No. 37 of 2017 for alleged violation of the Bihar Excise Law.

Submission of the learned counsel for the petitioner is that no purpose would be served by continued detention of the vehicle till completion of the criminal trial because pre-trial confiscation of the seized article is challenged in L.P.A. No. 1647 of 2015 (**Baleshwar Roy vs. The State of Bihar & Ors.**) before a Larger Bench of this Court.

After hearing the parties, finding substance in the submission aforesaid, let the aforesaid vehicle be released in favour of



the petitioner on execution of surety bond of Rs.4,00,000/- (rupees four lakhs) (not in the form of bank guarantee or cash) along with two sureties of the like amount each to the satisfaction of the learned court below/authority concerned where the case is pending, with condition that the petitioner shall not dispose of the said vehicle or put the same under encumbrance without permission of the authority concerned and shall produce as and when required by the Court.

The release shall be subject to the result of the L.P.A. aforesaid.

With the aforesaid observation, this application stands disposed of.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	18.10.2017
Transmission Date	18.10.2017

