

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14027 of 2017

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Jai Nath Paswan son of Shiv Bachan Paswan Resident of Mohalla- 23/A,
Type- 2, Railway Colony, Football Ground, Pathaldih Coal Washery Police
Station and District- Dhanbad.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of
Excise, Govt. of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Officer in Charge, Fulwariya, Police Station, District- Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh
For the Respondent/s : Mr. Vikash Kumar -Sc11

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 13-10-2017

The Hyundai Car bearing Registration No. JH-10

BD-6492 has been seized and confiscation proceeding has been
initiated under the Bihar Prohibition and Excise Act, 2016 by the
District Magistrate, Gopalganj.

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. Hyundai Car bearing Registration No. JH-10 BD-6492 shall be released to the petitioner on his furnishing two sureties to the satisfaction of the District Magistrate, Gopalganj, 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 so as to cause adverse effect or prejudice to the State Government.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

Shageer/-

(Anil Kumar Upadhyay, J)

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