

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8769 of 2017

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1. Kalicharan Bin, S/o Late Ramjee Bin, Resident of Village- Akhauripur Gola,
P.S.- Buxar (Muffasil), District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar through its Principle Secretary, Excise Department at Patna.
2. The Divisional Commissioner, Excise Department, Patna Division at Patna.
3. The District Collector, Buxar at Buxar.
4. The Superintendent of Police, Buxar at Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Respondent/s : Mr. Vivek Prasad- 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: 10-07-2017

Inter alia, contending that petitioner's vehicle Auto Rickshaw bearing Registration No. BR44P-3564, Chassis No. MD2A41AZ1FWF 1738, Engine No. BBZWFF16979 has been seized in connection with Buxar (Muffasil) P.S. Case No. 110 of 2017 for offence under Section 30(a) of the Bihar Excise Prohibition Act, 2016, this application has been filed for release of the vehicle in question.

Various orders passed by this Court have been placed before this Court which go to show that pending finalization of the confiscation proceedings various vehicles have been directed to be



released on conditions as are indicated in orders (Annexure-3 series).

Keeping in view the aforesaid and with a view to maintain parity, we allow this application in part. Pending finalization of the confiscation proceeding, the District Magistrate, Buxar is directed to release the vehicle of the petitioner bearing Registration No. BR44P-3564, Chassis No. MD2A41AZ1FWF 1738, Engine No. BBZWFF16979 on his furnishing two surety bonds to the satisfaction of the District Magistrate, Buxar in Buxar (Muffasil) P.S. Case No. 110 of 2017, 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.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

S.Pandey/-

(Anil Kumar Upadhyay, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.7.2017
Transmission Date	

