

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18225 of 2017

Subodh Kumar, son of Rambhu Narayan Prasad, resident of village- Tenua,
P.S. Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Excise Department, Government of Bihar, Patna
2. The District Magistrate-cum-Collector, East Champaran, Motihari
3. The Senior Superintendent of Police, East Champaran, Motihari
4. The SHO, Mehshi Police Station, District- East Champaran
5. The Investigation Officer, Mehshi P.S. Case No. 137 of 2017, Mehshi Police Station, East Champaran

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh
For the Respondent/s : Mr. KUMAR MANISH -SC5

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 12-12-2017 This writ petition has been filed for release of Bolero bearing Registration No. BR-05P-4277 which has been seized in connection with Mehshi P.S. Case No. 137 of 2017 for violation of the Bihar Prohibition and Excise Act, 2016. The prayer made in the writ petition is to release the vehicle in question pending finalization of the confiscation proceedings and criminal case.

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 writ petition is also allowed and the vehicle in question, i.e. Bolero bearing Registration No. BR-05P-4277 shall be released to the petitioner on his furnishing two sureties to the satisfaction of the District Magistrate, East Champaran, Motihari within a period of one week from the date of furnishing the sureties, 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, East Champaran, Mitihari so as to cause adverse effect or prejudice to the State Government.

With the aforesaid, the petition stands disposed of

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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