

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1217 of 2018

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Prem Chandra Yadav s/o Kapildeo Yadav R/o village Mahuari, PO + PS -
Pacharukhi, District Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Excise Department, New Secretariat, Patna.
2. The District Magistrate-cum-Collector, Siwan.
3. The Superintendent of Police, Siwan.
4. The Excise Superintendent Officer, Siwan.
5. The Station House Officer, PS Mairwa, District Siwan.
6. The Investigating Officer PS Case no 64/2017 of Mairawa PS, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Kant, Advocate
For the Respondent/s : Mr. Kumar Manish- SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 24-01-2018 This writ petition has been filed for release of a vehicle

(Mahindra Tractor 265 DI) bearing Registration No. BR

29M5007, which has been seized in connection with Mairawa

P.S. Case No. 64/2017 due to violation of the Bihar Prohibition

and Excise Act, 2016.

It is common ground that in various cases, identical in
nature, pending finalization of the confiscation proceedings and
criminal case, vehicles have been directed to be released by this
Court on various conditions and we see no reason to make a
deviation in the present case.

Keeping in view the aforesaid, it is directed that pending



finalization of the confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Siwan within a period of one week from the date of his furnishing the sureties and further undertaking to produce the vehicle as and when directed by the authority concerned and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case so as to cause adverse effect or prejudice to the State Government.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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