

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2967 of 2018

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Surendra Rai, S/o Vishwanath Rai, Resident of Village- Rasulpur, P.S.-
Derni, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Excise and Prohibition,
Government of Bihar, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. The District Magistrate- Collector, Saran Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anurag Saurav, Advocate
For the Respondent/s : Mr. Kumar Manish- SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-04-2018 This writ petition has been filed for release of a vehicle

(Tata 207) bearing Registration No. BR04M-0805, which has

been seized in connection with Derni P.S. Case No. 90 of 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
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 the bank guarantee to the satisfaction of District Magistrate, Saran, Chapra within a period of one week from the date of his furnishing the bank guarantee 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)

(Rajeev Ranjan Prasad, J)

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