

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13129 of 2018

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Firoj Alam, son of Serajul Miyan @ Sherajul Miyan, resident of Village-
Sirsa, P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate-cum- Collector, Gopalganj.
3. The Assistant Excise Commissioner, Gopalganj.
4. The Superintendent of Excise, Gopalganj.
5. The Superintendent of Police, Gopalganj.
6. The Vehicle Inspector, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Respondent/s : Mr. Vivek Prasad- GP-7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

- 2 11-07-2018 This writ petition has been filed for release of a vehicle (MAM Pickup Four Wheeler) bearing Registration No. BR-29GA-4217 which has been seized in connection with Baikunthpur P.S. Case No. 105 of 2018 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, Gopalganj 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.

The valuation of the vehicle in question shall be done as per the valuation shown in the insurance document.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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