

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10137 of 2018

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Mahesh Kumar, Son of Madho Mandal, Resident of Village- Karhariya, P.O.
+P.S.- Banka, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Excise Department, Govt. of Bihar, Patna.
2. The DGP, Govt. of Bihar, Patna.
3. The Superintendent of Police, District- Banka.
4. The SHO, Banka Police Station, District- Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma, 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 21-06-2018 Learned counsel for the petitioner is permitted to
make correction in the pleadings.

This writ petition has been filed for release of a
vehicle (Passion Pro Hero Motorcycle) bearing Registration No.
BR 51C-3422, which has been seized in connection with Banka
P.S. Case No.131 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 two sureties to the satisfaction of District Magistrate, Banka 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)

(Rajeev Ranjan Prasad, J)

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