

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3643 of 2018

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Muni Lal @ Muni Lal Sah, Son of Batohi Sah, Resident of Village- Khophara
Sonbarasa, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary of the Excise Department, Bihar at Patna.
2. The Collector cum District Magistrate, Sitamarhi.
3. The Superintendent of Police, Sitamarhi.
4. The Officer In-charge of Police Station, Sadar, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate
For the Respondent/s : Mr. VIVEK PRASAD -GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 05-03-2018 This writ petition has been filed for release of a vehicle

(Super Splendor Motorcycle) bearing Registration No. BR 067
AG-8827 which has been seized due to violation of the
provisions of the Bihar Prohibition and Excise Act, 2016 in
connection with case No. C-2/19 of 2018/30 of 2018 Sitamarhi,
Dist. Sitamarhi.

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, pending finalization of the
confiscation and criminal proceedings, the vehicle in question,



shall be released to the petitioner on his furnishing adequate Bank Guarantee to the satisfaction of the District Magistrate, Sitamarhi within one week from the date of furnishing the Bank Guarantee, 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 so as to cause adverse effect or prejudice to the State Government.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

spandey/-

(Anil Kumar Upadhyay, J)

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