

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4104 of 2018

Abhishek Kumar, son of Shyam Narayan Singh, resident of Mohalla Naya Tola Phulwari Sharif Near Biscuit Factory, P.S. Phulwarisharif Town and District Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Prohibition, Excise and Registration Department, Bihar, Patna
3. The District Magistrate-cum-Collector, Patna
4. The Senior Superintendent of Police, Patna
5. The Excise Superintendent, Patna
6. The Officer-Incharge of Naubatpur Police Station in the District of Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma, Adv.
For the Respondent/s : Mr. KUMAR MANISH- SC5

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-03-2018 This writ petition has been filed for release of a vehicle (Scorpio) bearing Registration No.BR-01PG-4845, which has been seized in connection with Naubatpur P.S. Case No. 447 of 2017 due to violation of the provisions of the Excise Act as the petitioner was found in drunken condition.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation/excise/criminal 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 aforesaid criminal case, the vehicle in question shall be released to the petitioner on the petitioner furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Patna 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 criminal case so as to create third party rights or prejudice the rights of the State in the pending proceedings.

The vehicle in question be released within one week from the date of furnishing the surety bonds.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/-

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