

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4235 of 2018

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Shiv Narayan Chourasiya, S/o- Vindu Prasad Chourasiya @ Vindu Prasad,
resident of Village- Ward No. 23, Bhabhua, P.S.- Bhabhua, District- Kaimur.
... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary of the Excise Department,
Bihar at Patna.
2. The Collector cum District Magistrate, Kaimur at Bhabua.
3. The Superintendent of Police, Kaimur at Bhabua.
4. The S.I. Excise, Mohania Circle-cum- Prahar Bal No. 03, District- Kaimur at
Bhabua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth, Advocate
For the Respondent/s : Mr. Vivek Prasad- GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-03-2018 This writ petition has been filed for release of a vehicle

(Motorcycle HM 2 Splendor Pro DRS CCR)) bearing

Registration No. BR 45C 1066, which has been seized in

connection with Excise Case No.1797 of 2017 (Excise P. R.

No.91/2017-18) 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, Kaimur at Bhabua, 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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