

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4290 of 2018

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Nitish Kumar Thakur @ Nitish Kumar Rai, Son of late Devendra Nath Thakur, Resident of Village-Bhagwat Parsa, Police Station-Phulwariya District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Registration, Prohibition and Excise, Government of Bihar, Patna.
2. The Collector/ District Magistrate, Gopalganj District-Gopalganj.
3. The Excise Superintendent, Gopalganj, District-Gopalganj.
4. The Superintendent of Police, Gopalganj District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate
For the Respondent/s : Mr. Kumar Manish -SC 5

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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 bearing Registration No. BR 28 G 2479, which has been seized in connection with Mirganj P.S. Case No. 263 of 2017 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 Collector-cum- 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.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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