

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5617 of 2018

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Nandlal Mahto, S/o Hari Mahto, r/o Siswa Noniya Tola P.S. Paharpur, Dist. E. Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Excise and Prohibition, Govt. of Bihar.
2. The District Magistrate East Champaran at Motihari.
3. The Police Superintendent East Champaran at Motihari.
4. The Officer Incharge of Paharpur Police Station E. Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate
For the Respondent/s : Mr. A.K. Sinha- GA1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-04-2018 Learned counsel for the petitioner is permitted to make necessary correction in the writ petition.

This writ petition has been filed for release of a vehicle (Motorcycle) bearing Registration No. BR 22H 2470, which has been seized in connection with Paharpur P. S. Case No. 328/2017 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 and criminal case, 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, East Champaran at Motihari 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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