

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2337 of 2018

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Raju Devi, Wife of Late Durga Prasad and Daughter of Jagdish Prasad,
Resident of Quarter No.5 Naya Saraly Grid Substation Hatia 2 Dhurwa
Ranch, P.S.- Nagri, District- Ranchi (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,
Government of Bihar, Patna.
2. The Collector, Gaya.
3. The Superintendent of Bihar, Patna.
4. The Officer in Charge, Atri Police Station District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad
For the Respondent/s : Mr. VIKASH KUMAR-SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-02-2018 This writ petition has been filed for release of a vehicle bearing Registration No. JH 01 AJ 1764, which has been seized in connection with Atri P.S. Case No.163 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 her furnishing the bank guarantee to the satisfaction of District Magistrate, Gaya, within a period of one week from the date of her furnishing the bank guarantee and further undertaking to produce the vehicle as and when directed by the authority concerned and not to alienate or create third party interest 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 right of 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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