

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3319 of 2018

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Anil Kumar @ Fekan Yadav, Son of Methu Prasad @ Methu Gope, Resident
of Village- Atabalchak, P.S.- Tharthari, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Bihar, Patna.
2. The Collector-cum- District Magistrate, Nalanda at Biharsharif.
3. The Superintendent of Excise, Nalanda at Biharsharif.
4. The Superintendent of Police, Nalanda at Biharsharif.
5. The S.H.O., Tharthari Police Station (Nalanda).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar No. 1, Advocate
For the Respondent/s : Mr. Vivek Prasad-G P 7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-02-2018 This writ petition has been filed for release of a vehicle

(Hero Glamour Motorcycle) bearing Registration No. BR 21N

9029, which has been seized in connection with Tharthari P.S.

Case No.63 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/initiation 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/initiation 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 the Collector-cum-District Magistrate, Nalanda at Biharsharif, 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 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 State Government.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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