

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.612 of 2018

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Mukesh Kumar Sharma @ Mukesh Kr. Sharma, son of Ajay Sharma,
Resident of - 289, Habura and Bichpatiya Mohalla Dallupura Village, Delhi at
presently residing at Village - Ahirauliya, Police Station - Kotwa, District -
East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,
Govt. of Bihar, Patna.
2. The District Magistrate, East Champaran, Motihari.
3. The Superintendent of Police, East Champaran, Motihari.
4. The Officer in Charge, Kotwa Police Station, District - East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Pandey, Advocate
For the Respondent/s : Mr. Kumar Manish-SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-01-2018 This writ petition has been filed for release of a vehicle

(Indica Car) bearing Registration No. UP-16BT-9517, which has

been seized in connection with Kotwa P.S. Case No. 172 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 two sureties to the satisfaction of District Magistrate, East Champaran, 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)

(Anil Kumar Upadhyay, J)

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