

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.466 of 2018

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Parmeshwar Dayal @ Parmeshwar Dayal Ram, Son of Ram Sagar Ram,
resident of Village- Narahan, Police Station- Ramgarh, District- Kaimur
(Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, Kaimur at Bhabhua.
3. The Superintendent of Police, Kaimur at Bhabhua.
4. The Officer-in-charge, Ramgarh, Police Station, District- Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra
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

(Hero Honda Passion Pro Motorcycle) bearing Registration No.

BR 45B 8806, which has been seized in connection with

Ramgarh P.S. Case No. 222/2017 due to violation of the Bihar

Prohibition and Excise Act, 2016 giving rise to Confiscation

Case No.201/2017-18.

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, Kaimur at Bhabua 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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