

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.884 of 2018

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1. Kurban Ali, Son of Raja Dewan @ raja Sah, Resident of Village-Ahirauli
Dubauli Tola Takiya, P.S.-Gopalpur, District-Gopalganj

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Excise Commissioner, Bihar, Patna.
4. The Inspector General of Police, Bihar, Patna.
5. The District Magistrate-Cum-Collector, Siwan.
6. The Superintendent of Police, Siwan.
7. That Excise Superintendent of Police, Siwan.
8. The Officer-In-Charge, Barharia Police Station, Siwan.
9. The Investigation Officer of Barharia P.S. Case no. 272/17, Barharia
Police Station, Siwan.

.... Respondents

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Appearance :

For the Petitioner : Mr. Javed Aslam, Adv.

For the Respondents : Mr. Vikash Kumar, SC XI

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 17-01-2018 This writ petition has been filed for release of pick-
up vehicle bearing registration no. BR-28L-0204 which has been
seized in connection with Barharia P.S. Case No. 272 of 2017 due
to violation of 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 cases, 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 the District Magistrate-cum-Collector, Siwan, 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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