

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.924 of 2018

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Vir Bahadur @ Viru Gope, son of Suresh Prasad Yadav, resident of
Khirodharpur-Naya Tola, P.S. Fatuha, district Patna Petitioner

Versus

1. The State of Bihar through Principal Secretary, Excise Department,
Government of Bihar, Patna
 2. The Collector, Patna
 3. The Officer-in-Charge of Khusrupur Police Station, district Patna
 4. The Investigating Officer of Khusrupur Police Station Case No. 269 of
2017, P.S. Khusrupur, district Patna Respondents
- =====

Appearance :

For the Petitioner : Mr. Sunil Kumar Pathak, Adv.
For the Respondents : Mr. Anil Kumar Sinha, GA I

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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 two
motorcycles (Hero Honda and Passion Pro) bearing registrations
no. BR-01CG-9779 and BR-01CCV-3883 which have been seized
in connection with Khusrupur P.S. Case No. 269 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 vehicles in question shall be released to the petitioner on his furnishing two sureties to the satisfaction of the District Magistrate, Patna, within a period of one week from the date of his furnishing the sureties and further undertaking to produce the vehicles as and when directed by the authority concerned and not to alienate or deal with the vehicles 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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