

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1315 of 2018

Mira Devi, wife of Rajendra Pathak, resident of Village/Mohallah-Nakuni,
Ward no.4, Atapur, P.s.-Hasanpur, District-Samastipur (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate-cum- Collector, Samastipur, District-Samastipur (Bihar).
3. The Incharge Deputy Collector, District Law Section, Samastipur, District-Samastipur (Bihar).
4. The Assistant Excise Commissioner, Samastipur, District-Samastipur (Bihar).
5. The Superintendent of Excise, Samastipur, District-Samastipur (Bihar).
6. The Superintendent of Police, Samastipur, District-Samastipur (Bihar).
7. The Vehicle Inspector, Samastipur, District-Samastipur (Bihar).
8. The Station House Officer, Singhiya Police Station, Samastipur, District-Samastipur (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Respondent/s : Mr. Kumar Manish -SC5

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 24-01-2018 This writ petition has been filed for release of a vehicle (Bolero) bearing Registration No. BR- 34P-1161, which has been seized in connection with Singhiya P.S. Case No. 84 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 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 of the confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing the bank guarantee to the satisfaction of District Magistrate, Samastipur within a period of one week from the date of his furnishing the bank guarantee 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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