

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1249 of 2018

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Saroj Jha @ Saroj Kumar Jha, son of Mohan Jha, resident of Village-Navtol Behat, P.S. Lakhnaur (R.S. O.P.), District-Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Excise Department, Government of Bihar, Patna.
2. The Divisional Commissioner, Darbhanga.
3. The District Magistrate cum Collector, Madhubani.
4. The Senior Superintendent of Police, Madhubani.
5. The S. H. O. Lakhnaur, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, 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 23-01-2018 This writ petition has been filed for release of a vehicle (New Splendor Motorcycle) bearing Chesis No.MBLHAR072HHG71462 Engine No. HA10AGHHGE6527, which has been seized in connection with Lakhnaur (R.S.O.P) P.S. Case No. 213/2017 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 two sureties to the satisfaction of District Magistrate, Madhubani 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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