

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18780 of 2017

Navin Kumar, Son of Late Raj Kumar, Resident of House No. 1117, LIG-1-A, Sector, 62, Housing Board Colony, Ballabgarh, P.S. Ballabhgarh, District-Faridabad, Haryana.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Prohibition, Excise and Registration Department, Government of Bihar.
2. The Excise Commissioner, Prohibition, Excise and Registration Department, Government of Bihar.
3. The District Magistrate, Motihari, East Champaran.
4. The Superintending of Police, Motihari, East Champaran.
5. The Officer in Charge, Police Station-Mehsi, District-Motihari, East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP 7

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-01-2018 This writ petition has been filed for release of a vehicle (Innova Car) bearing Registration No. HR-29AP-1209, which has been seized in connection with Mehsi P.S. Case No. 301/2017 due to violation of the Bihar Prohibition and Excise Act, 2016. The prayer made in the writ petition is to release the vehicle in question pending finalization of the confiscation proceedings and criminal case.

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, Motihari, East Champaran 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 District Magistrate, Motihari, East Champaran 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. Further, on being satisfied with the sureties, the District Magistrate shall not insist upon furnishing the local sureties.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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