

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18831 of 2017

Om Prakash Kumar, Son of Yogendra Singh, resident of Village- Jhalshi, P.S.-
Sahiyra, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Collector-cum- District Magistrate, Sitamarhi.
5. The Deputy Superintendent of Police, Sitamarhi.
6. The Excise Superintendent, Sitamarhi.
7. The Officer-in- Charge, Sahiyara, District- Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate

For the Respondent/s : Mr. Manish Dhari Singh, AC to Advocate General

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 (Honda Sine Motor Cycle) bearing Registration No. BR-30L-5543, which has been seized in connection with Majorganj P.S. Case No. 248/2017 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 Bank Guarantee to the satisfaction of District Magistrate, Sitamarhi within a period of one week from the date of his furnishing Bank Guarantee and further undertaking to produce the vehicle as and when directed by the District Magistrate, Sitamarhi 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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