

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12145 of 2018

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Kurban Miya, Son of Abdul Hakim, Resident of Village- Najdik Raybari
Mahuwa Jharmahui, P.S.- Chautarwa, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. The Principal Secretary, Department of Excise, Government of Bihar, Patna.
3. The District Magistrate, West Champaran, Bihar.
4. The Superintendent of Police, West Champaran, Bihar.
5. The District Transport Officer, West Champaran, Bihar.
6. The Officer-in-charge, Dhanaha Police Station, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Adv.
For the Respondent/s : Mr. Vikash Kumar - SC 11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 12-07-2018 This writ petition has been filed for release of Indica Vista Aqua Car, bearing registration no. HR-13D-2664 which has been seized in connection with Danaha P.S. Case No. 239 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, vehicles have been directed to be released by this Court on various conditions and we seen 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 cases, the aforesaid vehicle in question shall be released to the petitioner on his furnishing the two sureties to the satisfaction of the District Magistrate, West Champarand at Bettiah, 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.

The valuation of the vehicle shall be done as per the valuation shown in the insurance papers.

With the aforesaid, the writ petition stands allowed and **disposed off**.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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