

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19257 of 2017

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Ali Ahamad, S/o Shamshudin Mian, R/o Village- Haradia, P.S.- Pacharukhi,
District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate-cum-Collector, Siwan.
3. The Commissioner, Excise Saran Division at Chapra.
4. The Superintendent of Police, Siwan District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 04-01-2018 This writ petition has been filed for release of a vehicle (Maruti Car) bearing Registration No. BR28-8286, which has been seized in connection with Guthani P.S. Case No.125 of 2016 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, Siwan 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 District Magistrate, Siwan 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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