

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18896 of 2017

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Anil Kumar, son of Shambhu Yadav, resident of Village-Gajrajgaj, P.O.-
Barachatti (Near High School), Barachatti, P.S. Barachatti (Mohanpur),
District-Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Excise, Prohibition &
Registration Department, Government of Bihar, Patna.
2. The Collector-cum- District Magistrate, District-Gaya.
3. The Superintendent of Excise, Gaya, District-Gaya.
4. The Superintendent of Police, Gaya, District-Gaya.
5. The Officer In-charge, Barachatti, P.O. Barachatti, District-Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate
For the Respondent/s : Mr. Kumar Manish -SC 5

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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

(White Colour SLX Bolero) bearing Registration No. BR

26F0730, which has been seized in connection with Barachatti

P.S. Case No. 652/2017 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, Gaya 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, Gaya 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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