

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.66 of 2018

Subodh Manjhi, S/o Pyare Manjhi, R/o Nowadiha P.S. Khaira District Jamui.
... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary of Excise Deptt. Patna Govt. of Bihar at Patna.
2. The District Magistrate, Jamui.
3. The Superintendent of Excise District Jamui.
4. The Superintendent of Police, Jamui.
5. The S.H.O. Khaira.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP7

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 24-01-2018 This writ petition has been filed for release of a vehicle (Tempo, Auto Rickshwa,) bearing Registration No. BR- 46P 0912, which has been seized in connection with Khaira P.S. Case No. 290 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 and criminal case, 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 the bank guarantee to the satisfaction of District Magistrate, Jamui 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 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.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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