

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10898 of 2018

Manish Kumar Yadav, son of Shivanarayan Yadav, resident of Village-Garhbanaili, Ghordaur, P.S. Kasba, District Purnea.

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Excise Department Govt. of Bihar.
2. The District Magistrate, Purnea.
3. The Superintendent of Police, Purnea.
4. The Officer, Incharge of Baisi Police Station, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate
For the Respondent/s : Mr. Anil Kr. Sinha- GA-1

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 04-07-2018 This writ petition has been filed for release of a vehicle (Piaggio Auto Rickshaw) (Tempo) bearing Engine No.RTC 2868693, Chassis No. MBX0003BFVD445802, which has been seized in connection with Baisi P.S. Case No. 201 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 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, Purnea 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)

(Rajeev Ranjan Prasad, J)

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