

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19409 of 2017

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Vijay Mahto son of Late Gaya Mahto Resident of Village - House No. - 4
Ward No. - 14, Kashipur, P.S. - Samastipur (Town), Distt - Samastipur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Patna.
2. The Distt. Magistrate, Samastipur.
3. The Superintendent of Police, Samastipur.
4. The Officer-in-charge, Ujiarpur Police Station - Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1, Advocate
For the Respondent/s : Mr. Kumar Ravish, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 09-01-2018 This writ petition has been filed for release of a vehicle

(Bolero Pick up van) bearing Registration No. BR 33M 2503

which has been seized due to violation of the provisions of the

Bihar Prohibition and Excise Act, 2016 in connection with

Ujiarpur P.S. Case No. 82 of 2017.

It is common ground that in various cases, similar petitions
have been allowed and pending finalization of the confiscation
proceedings, seized vehicle has been directed to be released.

Keeping in view the aforesaid, pending finalization of the
confiscation and criminal proceedings, the vehicle in question,
shall be released to the petitioner on his furnishing adequate



Bank Guarantee to the satisfaction of the District Magistrate, Samastipur within one week from the date of furnishing the Bank Guarantee, subject to the condition that the petitioner shall make available the vehicle in question before the authority concerned as and when directed and further that he shall undertake not to alienate the vehicle or deal with it in any manner whatsoever during the pendency of the confiscation proceedings so as to cause adverse effect or prejudice to the State Government.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

spandey/-

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