

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13970 of 2018

=====

Jitendra Sao, Son of Shivpujan Sao, Resident of Village- Ektara, P.S.-
Hunterganj, District- Chatra (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Prohibition, Excise and Registration Department, Govt. of Bihar.
2. The Excise Commissioner, Govt. of Bihar.
3. The Deputy Commissioner (Excise Magadh).
4. The Assistant Commissioner (Excise), Gaya.
5. The District Magistrate, Gaya.
6. The Senior Superintendent of Police, Gaya.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Neerad Parashar, Advocate

For the Respondent/s : Mr. Vikash Kumar -SC-11

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 31-07-2018 This writ petition has been filed for release of a vehicle

(Super Splendor Motorcycle) bearing Registration No. BR-

02AF-2319, which has been seized in connection with

Sherghatti P.S. Case No. 461 of 2016 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, 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 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.

The valuation of the vehicle in question shall be done as per the valuation shown in the insurance document.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Sunil/-S.Shukla

U			
---	--	--	--

