

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13618 of 2018

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Santosh Kumar, son of Jibachha Yadav, Resident of Village - Sonbarsa, Ward
No. 09, P.O. Karihari, P.S. - Laukahi, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Prohibition, Excise & Registration Department,
Government of Bihar, Patna.
3. The Excise Commissioner, Prohibition, Excise and Registration Department,
Government of Bihar, Patna.
4. The Collector, Madhubani.
5. The District Transport Officer, Madhubani.
6. The Excise Superintendent, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate
For the Respondent/s : Mr. Anil Kr. Sinha- GA-1

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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 (Yamaha Saluto Motorcycle) bearing Registration No.

BR-32X2730, which has been seized in connection with

Khutauna P.S. Case No.36 of 2018 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 two sureties to the satisfaction of District Magistrate, Madhubani within a period of one week from the date of his furnishing the sureties 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

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