

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3461 of 2018

In
Civil Writ Jurisdiction Case No.13261 of 2018

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Md. Irfan Alam, Son of Md. Kasim, Resident of village Bhalanni, P.S. - Sadar (Mabbi O.P.), District – Darbhanga, At present Resident of Rathu Srkar Lane, 34/1 Chitranjan Avaneue, SO Kolkata, West Bengal, 700073.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Registration Excise and Prohibition Department, Government of Bihar, Patna.
2. The Commissioner, Excise, Registration Excise and Prohibition Department, Government of Bihar, Patna
3. The District Magistrate, Samastipur.
4. The Superintendent of Police, Samastipur.
5. The Superintendent of Excise, Samastipur.
6. The S.H.O. Police, Rosera, Police Station, District Samastipur.
7. The Sub- Inspector of Police (Informant), Rosera, Police Station, District – Samastipur.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Adv.
For the Respondent/s : Mr. Amaresh Kumar Sinha, AC to GA 1

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

3 19-12-2018 This application is filed for modification of our order dated 16.07.2018 passed in CWJC No. 13261 of 2018, whereby this Court has ordered for provisional release of the vehicle in question pending conclusion of the confiscation proceeding.

Learned Counsel for the petitioner shows difficulty in furnishing Bank guarantee for release of the vehicle.

Merely because the petitioner is finding difficulty in furnishing Bank guarantee is no reason to modify the order



which puts reasonable condition for the petitioner. The choice is
of the petitioner to avail the benefit of the same.

The modification application is rejected.

(Jyoti Saran, J)

(Rajeev Ranjan Prasad, J)

Archana
Surendra/-

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