

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13100 of 2018

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Adhik Yadav, son of Ram Padarath Yadav, resident of village Machhra, P.S.
Alauli, district Khagaria ... Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Excise Department,
Bihar, Patna
2. The Divisional Commissioner, Excise Department, Munger Division,
Munger
3. The Collector-cum-District Magistrate, Khagaria
4. The Superintendent of Police, Khagaria
5. The Dy. S.P., Khagaria
6, Avinash Chandra, Officer-in-Charge, Morkahi, P.S., district Khagaria
... Respondents

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar Singh, Adv.
For the Respondents : Mr. Vivek Prasad- Gp7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 12-07-2018 This writ petition has been filed for release of Bolera
DI Turbo, bearing registration no. BR-09H-8587, which has
been seized in connection with Morkahi P.S. Case No. 28 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 seen 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 cases, the aforesaid vehicle in question shall be released to the petitioner on his furnishing the two sureties to the satisfaction of the District Magistrate, Khagaria, 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 shall be done as per the valuation shown in the insurance papers.

With the aforesaid, the writ petition stands allowed and **disposed off**.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Shamshad/-

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