

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4293 of 2018

Naresh Sah, son of Suresh Sah, resident of Village Purvi Hardas Sansarpur,
P.S. Mufassil, District-Khagaria.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Excise Department, Bihar, Patna.
2. The Collector-cum-District Magistrate, Banka.
3. The Superintendent of Excise, Banka.
4. The Sub-Inspector of Excise, Katoria, Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP 7

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-03-2018 This writ petition has been filed for release of a vehicle (Mahindra Bolero) bearing Registration No. BR-09R-0822, which has been seized in connection with Excise Case No. 618 of 2017 vide Prosecution Case No.81/17-18 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 Collector-cum- District Magistrate, Banka 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.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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