

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3422 of 2018

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Jitendra Ray, S/o Punit Ray, Resident of Village- Mohaddipur, P.O. & P.S.-
Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Prohibition Excise and Registration Department,
Government of Bihar, Patna.
3. The Commissioner, Prohibition Excise and Registration Department,
Government of Bihar, Patna. null
4. The Collector-cum- District Magistrate, East Champaran at Motihari.
5. The Senior Additional Collector, District Legal Cell, East Champaran at
Motihari.
6. The Superintendent of Police, East Champaran at Motihari.
7. The District Transport Officer, East Champaran at Motihari.
8. The Superintendent of Excise, East Champaran at Motihari.
9. The Motor Vehicle Inspector, Chiraiya, East Champaran.
10. The Station House Officer, Chiraiya, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Yadav
For the Respondent/s	:	Mr. Vikash Kumar- SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 26-02-2018 This writ petition has been filed for release of a vehicle

(Vikram, 450D Auto Rickshaw(Tempo) bearing Registration

No. BR-05PA-3782 which has been seized due to violation of

the provisions of the Bihar Prohibition and Excise Act, 2016 in

connection with Chiraiya P.S. Case No. 197 of 2017.

It is common ground that in various cases, similar petitions

have been allowed and pending finalization of the confiscation

proceedings, seized vehicle has been directed to be released.



Keeping in view the aforesaid, pending finalization of the confiscation and criminal proceedings, the vehicle in question, shall be released to the petitioner on his furnishing adequate bank guarantee to the satisfaction of the District Magistrate, East Champaran at Motihari within one week from the date of furnishing the bank guarantee, subject to the condition that the petitioner shall make available the vehicle in question before the authority concerned as and when directed and further that he shall undertake not to alienate the vehicle or deal with it in any manner whatsoever during the pendency of the confiscation proceedings so as to cause adverse effect or prejudice to the State Government.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Ravi/-

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