

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3184 of 2018

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Mainuddin Miyan @ Mainudin Miyan, Son of Ijhar Miyan, Resident of
Village-Sinhpur Haraiya, P.S.-Raxaul, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
3. The Collector-Cum-District Magistrate, East Champaran, Motihari.
4. The Superintendent of Police, East Champaran, Motihari.
5. The Superintendent of Excise, East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu, 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 21-02-2018 This writ petition has been filed for release of a vehicle (Motorcycle) bearing Registration No. BR-05-Q-9682, which has been seized in connection with Excise Case No.68 of 2017 due to violation of the Bihar Prohibition and Excise Act, 2016.

It is common ground that in various cases, identical in nature, pending finalization/initiation of the confiscation proceedings and the criminal case, 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/initiation 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, East Champaran, Motihari, 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 create third party interest 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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