

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1411 of 2018

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1. Onkar Nath son of Late Shiv Nath Resident of Village - Baruri, P.O. - Karari, P.S. - Durgawati, District - Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary of the Excise Department, Bihar at Patna.
2. The Collector cum District Magistrate, Kaimur at Bhabua.
3. The Superintendent of Police, Kaimur at Bhabua.
4. The Officer In-Charge of Police Station - Chand, District - Kaimur at Bhabua.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Adv.

For the Respondent/s : Mr. Anil Kumar Sinha -Ga1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 29-01-2018

This writ petition has been filed for release of Hero

Splendor Prosecution motorcycle bearing registration no. BR-45H-5273 which has been seized in connection with Chand P.S. Case No. 261 of 2017 due to violation of Bihar Prohibition and Excise Act, 2016.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings and criminal cases, 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 two sureties to the satisfaction of the District Magistrate-cum-Collector, Kaimur at Bhabhua, 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.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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