

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3241 of 2018

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Asharfi Chourasiya @ Asharfi Prasad Chourasiya, Son of Bharat Chourasiya,
R/o Village- Asaon, P.S.- Ander, Distt- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Superintendent of Excise Department, Siwan.
4. The Officer in Charge- Andern Police Station Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Respondent/s : Mr. ANIL KR. 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 23-02-2018 This writ petition has been filed for release of a vehicle (Splendor Motorcycle) bearing Registration No. BR 28K 2676 which has been seized due to violation of the provisions of the Bihar Prohibition and Excise Act, 2016 in connection with Ander P.S. Case No. 183 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 two sureties to the satisfaction of the District Magistrate, Siwan within one week from the date of furnishing the sureties, 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)

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