

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7433 of 2018

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Mukesh Kumar @ Bata, S/o Shashi Bhusan Prasad, resident of Moh.-
Darogakuan, P.S.-Hilsa, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Department of (Prohibition & Excise), Bihar, Patna.
2. District Magistrate Nalanda at Biharsharif.
3. Superintendent of Police, Nalanda.
4. S.H.O. Hilsa, Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate
For the Respondent/s : Mr. Kameshwar Kumar -GP 17

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 19-04-2018 This writ petition has been filed for release of a vehicle (Tempo Three Wheeler) bearing Registration No. BR 01PF-8408, along with a sum of Rs.3760/- (three thousand, seven hundred and sixty) only which have been seized in connection with Hilsa P.S. Case No. 14/18 due to violation of the Bihar Prohibition and Excise Act, 2016.

It is common ground that in various cases, identical in nature, pending initiation/ finalization of the confiscation proceedings, vehicles and cash 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 initiation/ finalization of the confiscation proceedings and criminal case, the aforesaid vehicle in question and a sum of Rs.3760/- (Three thousand seven hundred and sixty) only shall be released on preparation of Panchnama to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Nalanda at Biharsharif 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)

(Rajeev Ranjan Prasad, J)

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