

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13261 of 2018**

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Md. Irfan Alam, Son of Md. Kasim, Resident of Village- Bhalanni, P.S.- Sadar (Mabbi O.P.), District Darbhanga, At present Resident of of Rathu Srkar Lane, 34/1 Chitranjan Avaneue, SO Kolkata, West Bengal, 700073.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration Excise and Prohibition Department, Government of Bihar, Patna.
2. The Commissioner, Excise Registration Excise and Prohibition Department, Government of Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The Superintendent of Police, Samastipur.
5. The Superintendent of Excise, Samastipur.
6. The S.H.O. Police, Rosera, Police Station, District Samastipur.
7. The Sub-Inspector of Police (Informant), Rosera, Police Station, District-Samastipur.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Kundan Kumar, Adv.  
For the Respondent/s : Mr. Vikash Kumar- Sc11

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      16-07-2018                      This writ petition has been filed for release of truck, bearing registration no. WB-23D-9255, which has been seized in connection with Rosera P.S. Case No. 58 of 2018 due to violation of the Bihar Prohibition and Excise Act, 2016.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings, vehicles have been directed to be released by this Court on various conditions and we seen 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 cases, the aforesaid vehicle in question shall be released to the petitioner on his furnishing the bank guarantee to the satisfaction of the District Magistrate, Samastipur, 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.

The valuation of the vehicle shall be done as per the valuation shown in the insurance papers.

With the aforesaid, the writ petition stands allowed and **disposed off**.

**(Rajendra Menon, CJ)**

**( Rajeev Ranjan Prasad, J)**

Shamshad/-

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