

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13764 of 2017

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Radhe Shyam Prasad, Son of Late Bharat Prasad, Resident of Village- Satoua, P.S.-
Griiriyak, District- Nalanda at Bihar Sharif.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department at Patna.
2. The Divisional Commissioner, Excise Department, Patna Division at Patna.
3. The District Collector, Nawada.
4. The Superintending of Police, Nawada.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Respondent/s : Mr. LALIT KISHORE-AG

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 21-03-2018

Having heard learned counsel for the parties at length and
having considered the order earlier passed by us in CWJC no. 18026
of 2017 and its compliance which has been made as directed by this
court on 01.02.2018, now we allow this petition to the extent that
pending finalization of the confiscation proceedings and the criminal
case, the vehicle / container / truck in question bearing registration no.
WB03C/8379, Engine no. 31A63308652, Chassis no.
MAT448033D3AO/304, which was seized along with liquor in
connection with Kushichak (Sahpur O.P.) P.S. Case No. 35/2017 due
to violation of the Bihar Prohibition and Excise Act, 2016, shall be



released to the petitioner on his furnishing Bank Guarantee to the satisfaction of the Collector-cum-District Magistrate, Nawada with further undertaking not to alienate the vehicle in question and produce the same before the District Magistrate as and when required. That apart, the petitioner shall also furnish two local sureties to the satisfaction of the Collector-cum-District Magistrate for release of the vehicle in question. The vehicle shall be released within one week from the date of furnishing of the Bank Guarantee.

The petition is allowed and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22.03.2018
Transmission Date	N/A

