

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.593 of 2018

Arising Out of PS. Case No.-49 Year-2016 Thana- AMBA District- Aurangabad

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Kumar Arun Singh, Son of Sri Ram Bharat Singh, Resident of Village+P.O.-
Jamuhar, P.S.- Dehri-on-Sone, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary Excise Deptt. Govt. of Bihar, Patna.
2. The District Magistrate, Aurangabad.
3. The Superintendent of Police, Aurangabad.
4. The Officer In-charge, Amba Police Station, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Respondent/s : Mr. Anil Kumar Sinha (Ga-1)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 03-10-2018 List this case after disposal of L. P. A. No. 1647 of
2015 and the connected matters.

Learned counsel for the petitioner has informed that in view of the pendency of the aforesaid L. P.A. the Commissioner is not entertaining appeals arising out of the order passed by the District Magistrate under the Bihar Prohibition & Excise Act. It is submitted that in this circumstance the petitioner cannot be left remediless.

In the given facts and circumstance there will be a provisional release of the vehicle bearing registration no. BR24Q-6830 on the petitioner furnishing the document of ownership and registration in his favour with two sureties or the



value of the vehicle in question as indicated in the insurance document to the satisfaction of the District Magistrate, Aurangabad. Apart from the above, the petitioner shall be obliged to submit an undertaking before the District Magistrate that he would not deal with the vehicle in question and shall not create any kind of encumbrance whatsoever and no third party right or interest shall be created till further order. He would also undertake to produce the vehicle in question as and when required by the authority concerned.

Let the vehicle be released within a week after submission of the two sureties as indicated above.

(Rajeev Ranjan Prasad, J)

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