

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8231 of 2018

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Nishu Das, wife of Chandan Kumar Das, Resident of Village- Gagaria, P.O.-
Angar Hat, Police Station- Angar, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration and Excise
Department, Government of Bihar.
2. District Magistrate, Kishanganj.
3. D.G.P. of Bihar, Patna.
4. S.P. Kishanganj.
5. S.D.P.O. Kishanganj.
6. Superintendent of Excise Department, Kishanganj.
7. S.H.O. Kishanganj P.S. Kishanganj, District Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh
For the Respondent/s : Mr. Vivek Prasad- GP7

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

(Per: HONOURABLE THE CHIEF JUSTICE)

3 21-06-2018 This petition was filed seeking release of a vehicle in
question (Scorpio) bearing Registration No. BR 37P 1754 which
was seized in connection with Kishanganj PS Case No. 157 of
2018 for violation of the provisions of the Excise Act. The
petition was allowed and disposed of on 17.05.2018 directing
for release of the vehicle on furnishing of Bank Guarantee to the
satisfaction of the District Magistrate concerned and other
conditions.

Now, the matter is listed today on a mentioning, and
the oral prayer made is that the condition of releasing the



vehicle on furnishing of Bank Guarantee be recalled and the vehicle be released on personal bond or any other surety.

Consistently in a large number of cases this Court is directing for release of vehicle on furnishing of Bank Guarantee when the quantity of liquor seized is more than 25 litres. This has been the consistent view of this Court and it is only in exceptional cases of great hardship that deviation has been made. In the present case, we find no exception to deviate from the order passed taking note of the quantity of liquor seized.

Accordingly, finding no case for modification the prayer stands rejected.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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