

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13094 of 2018

Shakal Yadav, Son of Ramdev Ray, Resident of Mohalla- Rikawganj Cinema Hall, P.S.- Malsalami, Patna City, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Government of Bihar, Patna.
2. The District Magistrate, Vaishali at Hajipur.
3. The Superintendent of Police, Vaishali at Hajipur.
4. The Deputy Superintendent of Police, Vaishali at Hajipur.
5. The Superintendent of Excise, Vaishali at Hajipur.
6. The Station House Officer, Ganga Bridge Police Station , Vaishali.
7. The Investigation Officer of Ganga Bridge P.S. Case No. 15 of 2018, Vaishali at Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Respondent/s : Mr. Kumar Manish - SC-5

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 11-07-2018 Petitioner is permitted to make necessary correction during the course of the day.

This writ petition has been filed for release of a vehicle (Tempo) bearing Registration No. BR 01PE-9229, which has been seized in connection with Ganga Bridge P.S. Case No. 15 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 see 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 case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing the bank guarantee to the satisfaction of District Magistrate, Vaishali at Hajipur within a period of one week from the date of his furnishing the bank guarantee 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 in question shall be done as per the valuation shown in the insurance document.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Sunil/-

U			
---	--	--	--

