

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5263 of 2018

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Kamlesh Kumar, Son of Late Thakur Prasad Singh, resident of Kachhi Talab, Saristabad Road, Near Pushpanjali Apartment, P.S.- Gardanibagh, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise and Prohibition, Government of Bihar, Patna.
2. The District Magistrate cum Collector cum Adjudicating Authority, District Patna, Bihar.
3. The Senior Superintendent of Police, District Patna, Bihar.
4. The Officer in Charge, P.S. Rajeev Nagar, District Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan
For the Respondent/s : Mr. ANIL KUMAR SINHA -GA1

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 22-03-2018 This writ petition has been filed for release of a vehicle (Tata Indigo ECS Car) bearing Registration No. BR-01CH6256, which has been seized in connection with Rajeev Nagar P.S. Case No. 64 of 2018 due to violation of the Bihar Prohibition and Excise Act, 2016. It is stated that no liquor has been seized from the vehicle in question and the same has been seized only on the ground that the persons occupying the vehicle were in drunken state.

It is common ground that in various cases, identical in nature, pending finalization of the criminal case, 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 criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Patna, 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 in any manner during the pendency of the criminal case.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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