

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1048 of 2018

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1. Akhilesh Kumar Singh, Son of Late Bashishtha Singh, R/o Village-Sakari, P.S.- Kudra, District- Kaimur at Bhabua Petitioner

Versus

1. The State of Bihar through the Commissioner Excise Department, State of Bihar, Patna.
2. The Collector cum District Magistrate, Kaimur at Bhabua.
3. The Superintendent of Police, Kaimur at Bhabua.
4. The Officer-in-Charge of Mohania Police Station, District- Kaimur at Bhabua Respondents

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Appearance :

For the Petitioner : Mr. Tribhuwan Narayan, Adv.
For the Respondents : Mr. Vivek Prasad, GP VII

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 19-01-2018 This writ petition has been filed for release of Scorpio bearing registration no. JH-01AJ-1044 which has been seized in connection with Mohania P.S. Case No. 641 of 2017 due to violation of Bihar Prohibition and Excise Act, 2016.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings and criminal cases, 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 two sureties to the satisfaction of the District Magistrate, Kaimur at Bhabhua, 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 during the pendency of the confiscation proceedings and criminal case so as to cause adverse effect or prejudice to the State Government.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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