

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.323 of 2018

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Naushad Ahmed @ Naushad Alam

.... Petitioner/s

Versus

The State of Bihar Through Principal Secretary, Excise Department,
Government of Bihar, Patna & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr. Vivek Prasad (Gp 7)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4. 20-07-2018

This matter has been listed under the heading to be mentioned at the instance of learned counsel representing the petitioner. Learned counsel for the petitioner as well as Mr. Vivek Prasad, learned G.P.7 are present.

The grievance of the petitioner is that while this court has directed release of the vehicle in question on furnishing two sureties to the satisfaction of the District Magistrate, West Champaran, Bettiah, the office of the District Magistrate is now insisting to submit two local sureties of government servants with character certificates issued by the officer of the rank of Superintendent of Police.

Apparently, this amounts to overreaching the order passed by this court, this court was willing to summon the District Magistrate, West Champaran at Bettiah who prima facie seems to have committed contempt of this court by



violating the order of this court willfully and disobediently, because of the fair submission made by Mr. Vivek Prasad, learned G.P.7, this court is for the present only directing the District Magistrate to release the vehicle in terms of the order passed by this court on 18.04.2018 and not to impose any other condition which will be creating a kind of burden upon the petitioner and which has not been provided in the order of this court.

The order must be complied within a period of one week from today.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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