

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12017 of 2018

Namonath Thakur, son of Sri Mayanand Thakur, resident of Village Sarra
Police Station Babu Barhi, District Madhubani.

... .. Petitioner

Versus

1. The State of Bihar through its Principal Secretary Excise Department at Patna.
2. The Divisional Commissioner, Excise Department of Darbhanga, Division, Dabhanga.
3. The Collector, Madhubani.
4. The Superintendent of Police, Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP-7

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 04-07-2018 Petitioner is the father of Sri Parveen Kumar Thakur who is the registered owner of a vehicle (Pulsar Motorcycle) bearing Registration No. JH 05BF 9568, which has been seized in connection with Andhratharhi P.S. Case No. 07 of 2018 due to violation of the Bihar Prohibition and Excise Act, 2016 and has prayed for release of the said vehicle.

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, in case, the petitioner appears along with the certified copy of this order and produces documents to show that he has been authorized by his son to take possession of the vehicle, the aforesaid vehicle in question shall be released to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Madhubani 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)

(Rajeev Ranjan Prasad, J)

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