

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14104 of 2018

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Pankaj Kumar, son of Kashi Kapar @ Kasi Kapar resident of Mumapur, P.S. -
Muffasil, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Registration, Excise and Prohibition, Government of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Inspector General of Police, Bihar, Patna.
5. The District Magistrate/Collector, Vaishali at Hajipur.
6. The Superintendent of Police, Vaishali at Hajipur.
7. The Excise Superintendent, Vaishali at Hajipur.
8. The Officer-in-Charge of Patepur Police Station, District - Vaishali at Hajipur.
9. The Investigating Officer of Patepur P.S. Case No. 100/17, Patepur Police Station, District - Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 31-07-2018 This writ petition has been filed for release of a vehicle

(Alto Maruti 800) bearing Registration No. BR 07AB-1760,

which has been seized in connection with Patepur P.S. Case No.

100 of 2017 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/-S.Shukla

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