

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1336 of 2018

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1. Deepak Kumar Singh, Son of Late Hem Chandra Singh, resident of Village- Rustampur, P.S. Hayaghat, District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
2. The District Magistrate-cum- Collector, Darbhanga.
3. The Assistant Excise Commissioner, Darbhanga.
4. The Superintendent of Excise, Darbhanga.
5. The Superintendent of Police, Darbhanga.
6. The Vehicle Inspector, Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : M/S Dharmendra Jha & Vinay Kumar
Mishra, Advs.

For the Respondent/s : Mr. Anil Kumar Sinha –GA I

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

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 29-01-2018 This writ petition has been filed for release of Bolero pick-up vehicle bearing registration no. BR-07GA-1855 which has been seized in connection with Bishanpur P.S. Case No. 110 of 2016 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 Bank guarantee to the satisfaction of the District Magistrate-cum-Collector, Darbhanga, 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.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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