

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13421 of 2018

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Anil Prasad Son of Late Babulal Saw, resident of Village- Sahpur, P.S.-
Haspur, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Excise, Government of Bihar, Patna.
2. The District Magistrate, Aurangabad.
3. The Superintendent of Police, Aurangabad.
4. The Officer In Charge, Haspura Police Station, District Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari, Adv.
For the Respondent/s : Mr. Anil Kr. Sinha- Gal

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 16-07-2018 This writ petition has been filed for release of Bajaj Discover D105 motorcycle, bearing registration no. BR-26G-8036, which has been seized in connection with Haspura P.S. Case No. 231 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 seen 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 cases, the aforesaid vehicle in question shall be released to the petitioner on his furnishing the bank guarantee to the satisfaction of the District Magistrate, Aurangabad. 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.

The valuation of the vehicle shall be done as per the valuation shown in the insurance papers.

With the aforesaid, the writ petition stands allowed and **disposed off**.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Shamshad/-

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