

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4633 of 2018

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Upendra Singh @ Upendra Kumar Singh, S/o- Late Guptar Singh, R/o-
Narhan, P.S.- Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Excise Dept., Govt. of Bihar.
2. The District Magistrate, Siwan.
3. The Superintendent of Police, Siwan.
4. The Officer In-charge Darauli Police Station, Darauli, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Respondent/s : Mr. Vivek Prasad- GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-03-2018 Learned counsel for the petitioner is permitted to make
necessary correction in the petition during the course of the day.

This writ petition has been filed for release of a vehicle
(Hero Splendor Plus Motorcycle) bearing Registration No. BR
29N-5833, which has been seized in connection with Darauli
P.S. Case No. 157/2017 due to violation of the Bihar Prohibition
and Excise Act, 2016.

It is common ground that in various cases, identical in
nature, pending initiation/ 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 initiation/ finalization of the confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Siwan, 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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