

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1063 of 2018

=====

Rakesh Kumar Singh, S/o Harendra Singh, Resident of Village- Chhotki Kothiya, P.S. and District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Bihar, Patna.
2. The Excise Commissioner, Bihar Prohibition and Excise Act 2016.
3. The Excise Officer, Bihar Prohibition and Excise Act, 2016.
4. The District Collector, District of Buxar, Bihar.
5. The Superintendent of Police, District of Buxar, Bihar.
6. The Officer in Charge of Buxar (I) Police Station, District- Buxar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ashwini Kumar Rai, Advocate
For the Respondent/s : Mr. Vikash Kumar -SC11

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 24-01-2018 This writ petition has been filed for release of a vehicle (Motorcycle) bearing Engine No. BHYRHA45494, Chessis No.MDZACYHRA09105, which has been seized in connection with Buxar (I) P.S. Case No. 93/2017 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 and criminal case, 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 two sureties to the satisfaction of District Magistrate, Buxar 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)

(Anil Kumar Upadhyay, J)

Sunil/-

U			
---	--	--	--

