

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.718 of 2018

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Pintu Kumar @ Abhishek Kumar, son of Ganesh Prasad, resident of village Janakpur, Mahmood, P.S. Khudaganj, district Nalanda Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Bihar, Patna
 2. The Collector-cum-District Magistrate, Nalanda, Biharsharif
 3. The Superintendent of Police, Nalanda, Biharsharif
 4. The Superintendent of Excise, Nalanda, Biharsharif
 5. The Officer-in-Charge of Tharthari Police Station, district Nalanda, Biharsharif Respondents
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Appearance :

For the Petitioner : Mr. Rajeev Kumar, Adv.
For the Respondents : Mr. Vikash Kumar, SC XI

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 19-01-2018 This writ petition has been filed for release of Pulsar motorcycle bearing registration no. BR-21F-6216 which has been seized in connection with Tharthari P.S. Case No. 101 of 2017 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 two sureties to the satisfaction of the District Magistrate, Nalanda at Biharsharif, 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)

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