

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2045 of 2018

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Shankar Prasad, Son of Ram Nath Sah, Resident of Village- Sirsa, P.O.-
Dighwa Dubauli, P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Saran at Chapra.
3. The Assistant Excise Commissioner, Saran at Chapra.
4. The Superintendent of Excise, Saran at Chapra.
5. The Superintendent of Police, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Respondent/s : Mr. VIVEK PRASAD- GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 23-02-2018 This writ petition has been filed for release of a vehicle (Bolero Pickup) bearing Registration No. BR 28L 5336 which has been seized due to violation of the provisions of the Bihar Prohibition and Excise Act, 2016 in connection with Baikunthpur P.S. Case No. 154 of 2017.

It is common ground that in various cases, similar petitions have been allowed and pending finalization of the confiscation proceedings, seized vehicle has been directed to be released.

Keeping in view the aforesaid, pending finalization of the confiscation and criminal proceedings, the vehicle in question, shall be released to the petitioner on his furnishing Bank



Guarantee to the satisfaction of the District Magistrate, Chapra within one week from the date of furnishing the Bank Guarantee, subject to the condition that the petitioner shall make available the vehicle in question before the authority concerned as and when directed and further that he shall undertake not to alienate the vehicle or deal with it in any manner whatsoever during the pendency of the confiscation proceedings so as to cause adverse effect or prejudice to the State Government.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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