

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15076 of 2017**

Ashish Kumar Adarsh, S/o Late Babu Raj Singh, Resident of Village-Narhan  
State, P.S.-Bibhutipur, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar, through its, Principal Secretary, Excise Department, Patna. (Bihar).
2. The Divisional Commissioner, Excise Department, Bihar Division at Patna.
3. The District Magistrate, Banka.
4. The Superintending of Police, Banka.
5. The Sub-inspector Kataria, Police Station.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Pandey, Advocate  
For the Respondent/s : Mr. Kumar Manish -SC 5

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

ORAL ORDER

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      04-01-2018              This writ petition has been filed for release of a vehicle (GEN CHEVROLET BEAT) bearing Registration No. BR01AS-7693, which has been seized in connection with Katoria P.S. Case No. 62/2017 due to violation of the Bihar Prohibition and Excise Act, 2016. The prayer made in the writ petition is to release the vehicle in question pending finalization of the confiscation proceedings and criminal case.

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 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 Bank Guarantee to the satisfaction of District Magistrate, Banka within a period of one week from the date of his furnishing the Bank Guarantee and further undertaking to produce the vehicle as and when directed by the District Magistrate, Banka 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/-

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