

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17411 of 2017

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Nakir Miya son of Md. Peshul R/o Village - Raghuni Chak, P.O. + P.S.
Mansahi, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Government of Bihar, Patna.
2. The Divisional Commissioner, Excise Department, Purnia Division, Purnia.
3. The District Magistrate, Katihar.
4. The Superintendent of Police, Katihar.
5. The Sub-Inspector of Police, Excise, Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bidhan Chandra Jha
For the Respondent/s : Mr. VIKASH KUMAR - SC-11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 17-01-2018 This writ petition has been filed for release of a vehicle (Apache RTR 160) bearing Registration No. BR 39V 9010, which has been seized in connection with CI Case No. 1012 of 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, Katihar 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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