

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.418 of 2018

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Kundan Kumar, son of Balmiki Mahto, Resident of village- Sheikhpura, P.S.
Khagaria, District-Khagaria

... .. Petitioner/s

Versus

1. The State Of Bihar through its Principal Secretary, Excise Department at Patna
2. The Divisional Commissioner, Excise Department, Munger Division at Munger
3. District Collector, Khagaria at Khagaria
4. The Superintendent of Police, Khagaria at Khagaria

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar
For the Respondent/s : Mr. KUMAR MANISH-SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 09-01-2018 Correction be carried out during the course of the day.

This writ petition has been filed for release of a vehicle (Tempo) bearing Registration No. BR 34K-8829 which has been seized due to violation of the provisions of the Bihar Prohibition and Excise Act, 2016 in connection with Khagaria P.S. Case No. 562 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 adequate Bank Guarantee to the satisfaction of the District Magistrate, Khagaria within one week from the date of furnishing the sureties, 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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