

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15121 of 2018

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Dinesh Kumar, son of Ram Dyal Prasad Singh, resident of Village- Sadarpur
Sector 45 Noida P.S. Sector 39 Noida District G.B. Nagar Noida.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Bihar, Prohibition and Excise Department, Bihar, Patna.
2. The Excise Commissioner Bihar Prohibition and Excise Department Bihar, Patna.
3. The Excise Officer, Bihar Prohibition and Excise Department Vaishali at Hajipur.
4. The District Magistrate Vaishali at Hajipur.
5. The Superintendent of Police Vaishali at Hajipur.
6. The Officer In-charge of Lalganj Police Station Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP-7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 01-08-2018 This writ petition has been filed for release of a vehicle

(Tata 407 Truck) bearing Registration No. HR-37B-9485, which

has been seized in connection with Lalganj P.S. Case No. 257 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
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 the bank guarantee to the satisfaction of District Magistrate, Vaishali at Hajipur, within a period of one week from the date of his furnishing the bank guarantee and two local 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.

The valuation of the vehicle in question shall be done as per the valuation shown in the insurance document.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Sunil/-s.shukla

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