

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11906 of 2018

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Hussain Miyan @ Husen Miyan S/o Sampat Miyan @ Sampat Miya resident
of village - Kharg Pokharia, P.S. - Chanpatia, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise & Prohibition Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Excise & Prohibition Department, Govt. of Bihar, Patna.
3. The Collector-cum-District Magistrate, West Champaran at Bettiah.
4. The Superintendent of Police, West Champaran at Bettiah.
5. The Inspector of Police, Excise, Sadar Anchal, Bettiah, Dist - West Champaran.
6. The Officer-in-charge, Sathi Police Station, Sathi, Dist - West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Respondent/s : Mr. Anil Kumar Sinha - GA-1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 17-07-2018 This writ petition has been filed for release of a vehicle (Motorcycle) bearing Registration No. BR-22Z/5248, which has been seized in connection with Sathi P.S. Case No. 39 of 2018 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 two sureties to the satisfaction of District Magistrate, West Champaran at Bettiah 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.

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)

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