

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12807 of 2018

Shankar Nuniya, son of Bhupati Nunia, resident of Village - Bara Shikarpur,
P.S. Abadpur, District - Katihar.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
2. The District Magistrate, Katihar.
3. The Superintendent of Excise, Katihar, District - Katihar.
4. The A.S.I. Barsoi, Police Station District - Katihar.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 09-07-2018 This writ petition has been filed for release of a vehicle (Apache Motorcycle) bearing Engine No.BE4EH2058620, Chasis No.MD 634BE 46H2E 577867, which has been seized in connection with Barsoi P.S. Case No. 405 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, Katihar 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 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)

(Rajeev Ranjan Prasad, J)

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