

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3681 of 2018

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Gautam Kumar Son of Suman Kumar Singh, Resident of Village- Rahua
Ward No.-11, P.O.-Pohua, P.S.-Bihariganj, District-Madhepura.

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
2. The District Magistrate-Cum-Collector, Supaul.
3. The Superintendent of Police, Excise, Supaul.
4. The Sub-Inspector, Excise, Supaul.
5. The Investigation Officer, P.R. No.-54/2017, Supaul.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav
For the Respondent/s : Mr.Kumar Manish -SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

3 01-05-2019

Re: I.A. No. 7117 of 2018

This Interlocutory Application has been preferred for modification of the order dated 07.03.2018 passed in CWJC No. 3681 of 2018 by which while directing the provisional release of the vehicle in question, this Court had directed the petitioner to furnish bank guarantee to the satisfaction of the District Magistrate, Supaul.

Learned counsel for the petitioner submits that instead of bank guarantee petitioner may be allowed to furnish the original title deed of immovable property.



Learned counsel for the State however submits that in similar matters this court has imposed this condition of furnishing bank guarantee and there is no reason why in this case any deviation should be made.

Having heard learned counsel for the parties, we find no reason to deviate from our usual order which has been passed in similar matters of provisional release of the vehicle considering the quantum of illicit liquor which has been recovered. Petitioner will be obliged to furnish bank guarantee to the satisfaction of the District Magistrate, Supaul to the extent of the value of the vehicle in question as indicated in the insurance document.

The I.A. No. 7117/2018 stands disposed of.

(Amreshwar Pratap Sahi, CJ)

(Rajeev Ranjan Prasad, J)

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