

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.370 of 2019

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Bhushan Kumar Mandal, aged about 27 years, son of Ghanshyam Mandal,
Resident of Village- Khutaghat Patraha P.S- Barhara District- Purnea
... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar Patna.
 2. The Collector cum District Magistrate, Purnea
 3. The Superintendent of Police Purnea
 4. The S.H.O Dagarua Police Station District - Purnea
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate
For the Opposite Party/s : Mr. Manish Kumar, AC to AAG-6

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 04-02-2019 Learned counsel for the applicant submits that the applicant is not in a position to furnish the bank guarantee as desired and, therefore, the order dated 30th of April, 2018 passed in CWJC No. 8189 of 2018 be modified for the purpose of release of the said vehicle.

We have considered the submissions raised and the only modification that can be made in tune with various orders passed by this Court is to the effect that the bank guarantee shall be furnished in respect of an amount relating to the value of the vehicle as disclosed in the insurance document as on the date of seizure.

We accordingly, direct the District Magistrate-Cum-



Collector, Purnea to allow the applicant to furnish a bank guarantee only to the extent of valuation of the vehicle as disclosed in the insurance document which shall be presented by the applicant before the District Magistrate who will accordingly pass an order to that effect within 15 days from production of such documents before him for the purpose of release of the vehicle.

The order dated 30th of April, 2018 passed in CWJC No. 8189 of 2018 stands modified to the aforesaid extent.

Disposed of.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

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