

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.700 of 2019

In

Civil Writ Jurisdiction Case No.9055 of 2018

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1. Guddu Chaudhary S/o Vijay Chaudhary, Resident of Marwa, P.S. Thana Bihpur, District- Bhagalpur.
 2. Amarjeet Kumar Singh S/o Jawahar Prasad Singh, Resident of S.K. Tahsildar Lane Road, Lichi Bagan, Adampur, Bhagalpur, P.S.- Adampur, Distt.- Bhagalpur

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, Bhagalpur.
3. The Senior Superintendent of Police, Bhagalpur.
4. The Officer In-charge Kotwali, Barari Police Station, Bhagalpur.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Advocate

For the Opposite Party/s : Mr.Mansih Kumar, AC to AAG-6

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

2 13-03-2019 Heard learned counsel for the petitioners and learned counsel representing the State.

Petitioners in the present case are seeking modification of the order dated 17.05.2018 passed in C.W.J.C. No. 9055 of 2018. It is the prayer of the petitioners that the condition of furnishing of Bank Guarantee imposed vide order dated 17.05.2018 be relaxed and altered to the effect that the petitioners may be held liable only to submit the sale deeds of the land lying within the jurisdiction of the court concerned and



not the Bank Guarantee.

It is the submission of the learned counsel for the petitioners that the petitioners are facing hardships in obtaining Bank Guarantee.

Having gone through the records, we find that huge quantity of illicit liquors were recovered from the vehicle in question. Considering the quantity of liquor, we are not inclined to alter or amend the condition of furnishing the Bank Guarantee.

However, as we find that in several cases we have directed for furnishing of the Bank Guarantee to the extent of the value of the vehicle as indicated in the insurance document, we deem it just and proper to amend the order dated 17.05.2018 passed in C.W.J.C. No. 9055 of 2018 to the extent that the Bank Guarantee to be furnished by the petitioners shall be to the extent of the value of the vehicle as indicated in the insurance document. The rest of the order shall remain intact.

This application stands disposed off.

(Amreshwar Pratap Sahi, CJ)

(Rajeev Ranjan Prasad, J)

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