

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3051 of 2018

In
Civil Writ Jurisdiction Case No.18750 of 2017

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Kumar Gaurav S/o Late Arun Kumar Singh, R/o Khabra Urf Kiratpur
Gurudas, PO- Khabara, PS- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Excise Department, New Secretariat, Patna.
2. The District Magistrate-cum-Collector, Vaishali.
3. The Superintendent of Police, Vaishali.
4. The Excise Superintendent, Vaishali.
5. The Station House Officer, Sarai, Vaishali.
6. The Investigating Officer of PS Case No. 105/2017 of Sarai PS, Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr. Pushkar Narain Shahi - AAG 6

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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 10-07-2019 Heard learned counsel for the petitioner and the State.

Petitioner in the present case is seeking modification of the order dated 03.01.2018 passed in C.W.J.C. No.18750 of 2017 by which while directing the release of the vehicle in question, this Court had directed the petitioner to furnish bank guarantee to the satisfaction of the District Magistrate-cum-Collector, Vaishali at Hajipur and to furnish further undertakings.



Having gone through the pleadings in the present application and the submission of the learned counsel for the petitioner, we find no reason to modify the order directing the petitioner to furnish the bank guarantee as in several other cases of like nature, we have been passing similar orders and wherever the quantity of liquor is more than 30 litres, we have directed for furnishing of bank guarantee. However, we are willing to modify the order to the extent that the petitioner will furnish the bank guarantee to the extent of the value of the vehicle in question as indicated in the insurance document. Rest of the order shall remain intact.

The application stands disposed of accordingly.

(Amreshwar Pratap Sahi, CJ)

(Rajeev Ranjan Prasad, J)

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