

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1903 of 2019

In
Civil Writ Jurisdiction Case No.9428 of 2018

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Ravindra Sah @ Ravinder Sah, S/o Late Babu Sah, Resident of Village-Harpur, Lahori, Near Shiv Mandir, M.I.T. P.S. Ahiyapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Collector, Lakhisarai.
3. The S.P., Lakhisarai.
4. The In-Charge, District Excise, Lakhisarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, 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 06-11-2019 Let the defect be ignored.

Petitioner in this case is seeking modification of the order dated 16.05.2018 passed in CWJC No.9428 of 2018.

A perusal of the order dated 16.05.2018 would show that the vehicle in question from which the illicit liquor has been recovered is said to be a Tata Pick-up Van and in such circumstance, this Court while directing for provisional release of the vehicle imposed a condition to furnish a bank guarantee to the satisfaction of the District Magistrate, Lakhisarai and



submit further undertaking. Learned counsel for the petitioner submits that the petitioner could not arrange the bank guarantee despite all his efforts. Neither any material in support of his contention has been brought on record nor we are convinced in the circumstances that any modification is required because of the kind of the vehicle which was being used for carrying the illicit liquor. We, however, direct that the quantum of the bank guarantee may be fixed to the extent of the value of the vehicle as indicated in the insurance document. Rest of the order shall remain intact.

This application is, accordingly, disposed of.

(Amreshwar Pratap Sahi, CJ)

(Rajeev Ranjan Prasad, J)

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