

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.5373 of 2019**

**In**  
**Civil Writ Jurisdiction Case No.10780 of 2019**

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Raj Kumar Prasad, Son of Late Ram Charitra Shah, resident of Village-  
Madhuban, Police Station- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Department, Govt. of Bihar, Patna.
2. The District Magistrate, Sitamarhi.
3. The Superintendent of Police, Sitamarhi.
4. The Officer Incharge, Punaure Police Station, Sitamarhi.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar, Advocate  
For the Opposite Party/s : Mr. Vikash Kumar, SC 11

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**and**  
**HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)**

2      13-01-2021                      Learned counsel for the petitioner submits that he wants modification with respect to condition imposed in the order dated 13.08.2019 passed in C.W.J.C. No. 10780 of 2019 with respect to surety along with Bank guarantee which requires modification. He further submits that the petitioner is a resident of Motihari district, the vehicle has been seized in the district of Sitamarhi, so he is facing much difficulty in production of ownership/registration papers supporting his claim together with surety along with Bank guarantee and makes a prayer that the



petitioner may kindly be permitted to produce the Bank guarantee of any Branch of the Nationalized Bank situated in the State of Bihar.

In such view of the matter, we think it proper to re-modify the condition of Bank guarantee to the extent that the condition of Bank guarantee will be read as Bank guarantee of any Branch of the Nationalized Bank situated in the State of Bihar.

Accordingly, the order dated 13.08.2019 passed in C.W.J.C. No. 10780 of 2019 is modified to the aforesaid extent.

Learned counsel for the petitioner will remove the defects pointed by the office within three weeks after restoration of normalcy.

**(Shivaji Pandey, J)**

**(Partha Sarthy, J)**

Mahesh/-

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