

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8060 of 2022

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Sharwan Singh S/o Jagtar Singh Resident of Mohalla-Saharasa Purab
Bazar, Saharsa, P.S. Saharasa, District-Saharsa, at Present C/o Sri ramchandra
Yadav Resident of Mohalla and P.S. Madhepura, District-Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secreary, Prohibition and Excise Department,
Govt. of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate-Cum-Collector, Supaul.
4. The Superintendent of Police, Supaul.
5. The Officer-Incharge, P.S. Kunauli, District-Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta, Advocate

For the Respondent/s : Mr.Vikash Kumar (SC- 11)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

**(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through Video
Conferencing from their residence.)**

Date : 08-07-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

1. That, this is an application for
issuance of the appropriate writ/
writs, order/ orders or direction/
directions to respondent authorities
to provisional release the

petitioner's star bus bearing registration No. BR43B 3575, which has been seized in connection with Kunauli P.S. Case No. 34/2021 for the offences under sections 30(a) of the Bihar Prohibition and Excise Act.

Allegation is recovery of 8 litres 700 ml. syrup from the bus of the petitioner.

Petitioner claims to be owner of the seized bus which is a passenger bus and he had no information that syrup were kept in the dickey of the bus.

In facts and circumstances of present case, the District Magistrate/Confiscating Authority, Supaul is directed to provisionally release the seized bus in favour of the petitioner, on submitting the ownership and registration document of the bus and on furnishing bank guarantee of the half of the value as indicated in the insurance document of the bus and further furnishing and undertaking that no 3rd party right will be created on the bus during pendency of confiscation proceeding.

The release of the bus shall be allowed within a period of 14 days from the date of furnishing of bank guarantee and the

undertaking as stated above, which would however be subject to
final outcome of the confiscation proceeding

With aforesaid observations and direction the writ
petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	