

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6214 of 2017

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Dinesh Narain Thakur, son of Triveni Narain Thakur, resident of Mohalla Ward
No.09, Airport, Basuara, Town + P.S. and District Madhubani

.... Petitioner/s

Versus

1. The State of Bihar through the Excise Commissioner, Bihar, Patna
2. The District Magistrate, Madhubani
3. The Superintendent of Police, Madhubani
4. The Officer in charge, Harlakhi Police Station, District Madhubani

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Vijay Kumar, Advocate

For the Respondents : Dr. Anil Kr. Upadhyaya, SC-2

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 15-05-2017

Having heard learned counsel for the parties, it is seen that confiscation proceedings with regard to the vehicle in question bearing registration No. BR-32C-5091 is pending consideration before the competent authority in Excise Prohibition Confiscation Case No.601 of 2016-17 and based on the show cause notice issued petitioner has raised various objections, but the Respondent No.2, the District Magistrate, Madhubani is yet to decide on the confiscation proceedings.

However, it is to be taken note of that in various cases, this Court pending finalization of the confiscation proceedings has directed for release of the vehicles in question provisionally subject to



certain directions and that being so, there is no reason as to why pending finalization of the confiscation proceedings the vehicle in question be not directed to be released to the petitioner.

Accordingly, on the petitioner filing a certified copy of this order along with an application for release of the vehicle in question and furnish security bond to the satisfaction of the District Magistrate, Madhubani and further undertaking not to alienate the vehicle during the pendency of the confiscation proceeding and further to produce the vehicle as and when directed by the District Magistrate, the vehicle in question shall be released to the petitioner.

With the aforesaid, the writ petition stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Narendra/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	18.05.2017
Transmission Date	

