

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12878 of 2017

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Nitesh Kumar, S/o Anil Singh, Resident of Village-Jatichak Masaurhi, P.S.-
Masaurhi, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department, Patna (Bihar)
2. The Divisional Commissioner, Excise Department, Bihar Division, at Patna.
3. The District Magistrate, Jamui.
4. The Superintendent of Police, Jamui
5. The Sub-Inspector, Sono Police Station, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 11-09-2017 This writ petition has been filed for release of a vehicle (Maruti Swift VDI BS-IV Car) bearing Registration No. BR01CB-3880, which has been seized in connection with SONO P.S. Case No. 39/2017 due to violation of the Excise Act. The confiscation proceedings being Confiscation Case No. 30/2017 are pending and the prayer made in the writ petition is to release the vehicle in question pending finalization of the confiscation proceedings and criminal case.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings vehicles have been directed to be released by this Court on



various conditions and we see no reason to make a deviation in the present case.

Keeping in view the aforesaid, it is directed that pending finalization of the aforesaid confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing two surety bonds to the satisfaction of District Magistrate, Jamui and further undertaking to produce the vehicle as and when directed by the District Magistrate, Jamui and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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