

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15431 of 2017

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Asha Devi, wife of Vijay Kumar Yadav, resident of Village- HarliKhurd, P.S.-
Bodh Gaya, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Excise, New Secretariat,
Patna, Bihar.
2. The Collector, Gaya.
3. The S.P. Gaya.
4. The ASI, Fatehpur P.S., District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Adv.
For the Respondent/s : Mr. KUMAR MANISH -SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-11-2017 This writ petition has been filed for release of a

vehicle (Mahindra & Mahindra 295-DI Tractor) bearing

Registration No. BR 2M-3265, which has been seized in

connection with Fatehpur P.S. Case No. 257/2017 due to

violation of the Excise Act. 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 Bank Guarantee to the satisfaction of District Magistrate, Gaya and further undertaking to produce the vehicle as and when directed by the District Magistrate, Gaya 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)

K.C.Jha/-

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