

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15178 of 2017

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Lalan Pandey, Son of Suresh Pandey, Resident of Village-Tetariya Khurd,
P.O. and P.S.-Barachatti, District-Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Bihar, Patna
2. The District Magistrate, Gaya.
3. The Senior Superintendent of Police, Gaya.
4. The Officer Incharge, Police Station- Barachatti, District-Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Respondent/s : Mr. Kumar Manish, SC- 5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 31-10-2017 This writ petition has been filed for release of a vehicle in question (Bolero Pick Up) bearing Registration No. BR-02 AA- 8723, which has been seized in connection with Barachatti (Mohanpur) P.S. Case No. 114 of 2017 due to violation of the Excise Act. The confiscation proceedings 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 confiscation proceedings and aforesaid 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)

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