

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15148 of 2017

=====

Rajani Kant Dubey, son of Sanjay Dubey, resident of Village- Kochas, P.S.-
Kochas, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary of the Excise Department, Bihar at Patna.
2. The Collector cum District Magistrate, Buxar.
3. The Superintendent of Police, Buxar.
4. The Officer In-charge of Police Station, Rajpur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Respondent/s : Mr. Vivek Prasad, GP-7

=====

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 (Motorcycle) bearing Registration No. BR-45F- 2400, which has been seized in connection with Rajpur P.S. Case No. 50 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, Buxar and further undertaking to produce the vehicle as and when directed by the District Magistrate, Buxar 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)

Uday/-

U			
---	--	--	--

