

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16151 of 2017

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Pappu Dubey, Son of Sri Dina Nath Dubey, Resident of Village- Sonakara
Awwal, Post Office- Santhi, Police Station- Asawn, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Custom and Excise Department, Government of Bihar at Patna.
2. The District Magistrate, Siwan, District- Siwan.
3. The Superintendent of Police, Siwan, District- Siwan.
4. The Station Head Officer, Guthani, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi
For the Respondent/s : Mr. VIVEK PRASAD - GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-11-2017 This writ petition has been filed for release of a vehicle (Maruti Wagon R VXi BS IV) bearing Registration No. BR 01AU-9125, which has been seized in connection with Confiscation Case No.138 of 2016-17, arising out of Guthani P.S. Case No. 103/2016 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, Siwan and further undertaking to produce the vehicle as and when directed by the District Magistrate, Siwan 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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