

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18011 of 2017

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Zahid Hussain S/o- Sheikh Hamid, Resident of Village-Ward No.12,
Senwariya, Turkauliya, P.S. Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Department of Excise and Prohibition, Government of Bihar, Patna.
2. The District Magistrate Motihari, East Champaran.
3. The Senior Superintendent of Police, Motihari, East Champaran
4. The Office-in-charge of Dhaka Police Station, Motihari, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate
For the Respondent/s : Mr. Anil Kumar Sinha -GA 1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 08-12-2017 This writ petition has been filed for release of a vehicle, Bolero DI bearing Registration No. BR 06PB-2174, which has been seized in connection with Dhaka P.S. Case No. 116 of 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 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 criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing bank guarantee to the satisfaction of District Magistrate, Motihari, East Champaran and further undertaking to produce the vehicle as and when directed by the District Magistrate, Motihari, East Champaran 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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