IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17469 of 2017

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Pankaj Rai, Son of Late Deep Narayan Rai, Resident of Village- Khirachak, (Mohanpur Dhanraj), Sherpur Chatwara, Police Station- Mahua, District- Vaishali.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Govt. of Bihar, Patna.
2. The District Magistrate, Vaishali, Hajipur.
3. The Superintendent of Police, Vaishali, Hajipur.
4. The Officer in Charge, Mahua Police Station- Vaishali, Hajipur.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar, Adv.
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 29-11-2017 This writ petition has been filed for release of a vehicle (XYLO) bearing Registration No. JH 01AL-1465, which has been seized in connection with Mahua P.S. Case No. 174/2017 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

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the present case.

Keeping in view the aforesaid, it is directed that pending finalization of the aforesaid confiscation proceedings and/or criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing Bank Guarantee to the satisfaction of District Magistrate, Vaishali, Hajipur and further undertaking to produce the vehicle as and when directed by the District Magistrate, Vaishali, Hajipur and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and/or criminal case in any manner so as to create a third party interest or cause prejudice to the rights of the State Government.

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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