

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16775 of 2017

Arbind Kumar Jha @ Arbind Kumar S/o Ram Chandra Jha, R/o Flat no 303,
Jeevan Shree Vaishnavi Vatika, Khagaul road, Danapur, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Department, new Secretariat Patna.
2. The District Magistrate-Cum-Collector Siwan.
3. The Superintending of Police, Siwan.
4. The Excise Superintendent, Siwan.
5. The Station House Officer, PS Siwan Muffasil, Siwan.
6. The investigating Officer PS Case No. 408/2017 of Muffasil PS, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Chandra Kant, Adv.

For the Respondent/s : Mr. VIKASH KUMAR-SC11

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 22-11-2017 This writ petition has been filed for release of a vehicle (Maruti New Swift VXi BSIV) bearing Registration No. BR O1CR 1407, which has been seized in connection with Siwan Muffasil P.S. Case No. 408/2017 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 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 two surety bonds 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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