

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16597 of 2017

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Tahir @ Tahir Ahmad, Son of Ismail, resident of House No.-80 Pallupura
Ghosi, Police Station- Pakbara, District- Moradabad, Uttar Pradesh.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Prohibition, Excise and Registration Department, Government of Bihar, Patna, Vikas Bhawan, Bailey Road, Patna.
2. The Principal Secretary, Prohibition, Excise and Registration Department, Government of Bihar, Patna.
3. The Excise Commissioner, Bihar, Patna.
4. The Collector-cum-District Magistrate, Patna.
5. The Senior Superintendent of Police, Patna.
6. The Officer-in-Charge of Bhagwanganj Police Station, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ambuj Nayan Chaubey, Advocate
For the Respondent/s : Mr. Kumar Manish -Sc5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-11-2017 This writ petition has been filed for release of a vehicle in question (Truck) bearing Registration No. UP 78 CN 8960, which has been seized in connection with Bhagwanganj P.S. Case No. 61 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 two surety bonds to the satisfaction of District Magistrate, Patna and further undertaking to produce the vehicle as and when directed by the District Magistrate, Patna 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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