

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13624 of 2017

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Dharmendra Thakur S/o Satipan Thakur, resident of Village- Koharavaliya, Near Shiv Mandir, P.S. Guthani, District Siwan, at present posted and working as Driver, Under the establishment of DMO Office, Aalo, West Siang, District- Arunchal Pradesh.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Govt. of Bihar, 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, Advocate
For the Respondent/s : Mr. Vivek Pd., GP-7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 18-09-2017

This petition has been filed for release of a vehicle bearing Registration No. BR-04N-4509 which has been seized in connection with Guthani P.S. Case No. 105 of 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 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)

S.Sb/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

