

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17430 of 2017

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Budhiram, son of Subhaga, R/o Village Gola Bazar, P.S. Sagari, District Azamgarh (U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar, through the Mines Commissioner, Bihar, Patna.
2. The District Magistrate cum Collector Kaimur at Bhabua.
3. The District Mining Officer, Mohania, District Kaimur at Bhabua.
4. The District Transport Officer, Kaimur at Bhabua.
5. The Enforcement Inspector, Transport Department, Bihar, Patna.
6. The Superintended of Police, Kaimur at Bhabua.
7. Officer in Charge of Durgawati Police Station.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.
For the Respondent/s : Mr. K.K. JHA - AAG-8

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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 (truck) bearing Registration No. UP50 F-4298, which has been seized in connection with Durgawati P.S. Case No. 228/2017 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 and the financial difficulties expressed by the petitioner, it is directed that pending finalization of the aforesaid confiscation proceedings and/or criminal case, the aforesaid vehicle in question, not the sand, shall be released to the petitioner on his furnishing three solvent sureties to the satisfaction of District Magistrate, Kaimur at Bhabua and further undertaking to produce the vehicle as and when directed by the District Magistrate, Kaimur at Bhabua 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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