

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7028 of 2017

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1. Anurag Singh Son of Amar Nath Singh, Resident of- 788-G, 2nd BN RPSF, Rajhi Camp, District- Gorakhpur (U.P.). Permanent Resident of Village- Baizal, P.O.- Kalyanpur, P.S.- Paroo, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Government of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The S.S.P. Excise Department, Siwan.
4. The Superintendent of Police, Siwan.
5. The S.H.O., Guthani Police Station, Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
For the Respondent/s : Mr. Vivek Prasad –GP-7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 12-05-2017

Inter alia contending that petitioner's vehicle bearing Registration No. UP53BY3040 has been seized in Guthani P.S. Case No. 116/16 for offence under Sections 272/273/308 of the Indian Penal Code and Section 47/57 of the Bihar Excise (Amendment) Act, 2016, this application has been filed for release of the vehicle in question.

Various orders passed by this Court have been placed before this Court which go to show that pending finalization of the confiscation proceedings various vehicles have been directed to be



released on certain conditions indicated therein.

Keeping in view the aforesaid and with a view to maintain parity, we allow this application in part. Pending finalization of the confiscation proceeding, the District Magistrate, Siwan is directed to release the vehicle of the petitioner bearing Registration No. UP53BY3040 on his furnishing two surety bonds to the satisfaction of the District Magistrate, Siwan in Guthani P.S. Case No. 116/16, subject to the condition that the petitioner shall make available the vehicle in question before the authority concerned as and when directed and further that he shall undertake not to alienate the vehicle or deal with it in any manner whatsoever during the pendency of the confiscation proceedings before the District Magistrate.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	20.5.2017
Transmission Date	N/A

