

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10370 of 2017

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Raj Kumar Raja, son of Nunu Mahto, Resident of village- Singhia Ghat, P.S.
Bibhutipur, District- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar, through its Principal Secretary, Excise Department, Patna (Bihar)
2. The Divisional Commissioner, Excise Department, Bihar Division, at Patna
3. The District Magistrate, Jamui
4. The Superintendent of Police, Jamui
5. The Sub-Inspector Sono Police Station

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Respondent/s : Mr. Vivek Prasad-GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 25-07-2017

Pending finalization of confiscation proceedings bearing Case No. 10/2017 pending before the District Magistrate, Jamui, this application has been filed for release of the vehicle, namely, MSIL Maruti Ertiga VDI bearing Registration No. BR 33T – 0007.

Considering the fact that in various other cases identical in nature vehicles have been directed to be released pending finalization of the confiscation proceedings or pending finalization of the criminal prosecution to be launched against the petitioner, the vehicle in question is directed to be released to the petitioner on the following conditions:

Keeping in view the aforesaid, we allow this application and direct for release of the vehicle, namely, MSIL Maruti Ertiga VDI bearing Registration No. BR 33T – 0007 to the petitioner on



furnishing surety bonds to the satisfaction of the District Magistrate-cum-Collector, Jamui in connection with Confiscation Case No. 10/2017, subject to the conditions that the petitioner shall make available the vehicle in question before the authority concerned as and when required during the pendency of the confiscation proceedings and further undertaking not to alienate or deal with the vehicle in any manner so as to cause adverse effect or prejudice to the State Government.

As far as challenge to the confiscation proceedings is concerned, since this matter is pending consideration, we are not inclined to go into the same. The petitioner may raise all the questions before the confiscating authority.

With the aforesaid, the petition stands allowed and disposed of.

(Rajendra Menon, CJ)

S.Pandey/-

(Anil Kumar Upadhyay, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.07.2017
Transmission Date	

