

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10761 of 2017

=====

Parmanand Kumar @ Parmanand Gupta, S/o Late Krishan Lal Sah, Resident of
village- Bairiya Bazar Shankar Saraiya, P.S.- Turkaulia, District- East Champaran.

.... Petitioner/s

Versus

1. The Principal Secretary, Excise Department, Government of Bihar, Patna.
2. The Collector, Motihari.
3. The Officer- in-Charge, Chakiya Police Station, P.S.- Chakiya, District- East Champaran.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Respondent/s : Mr. KUMAR MANISH- SC5

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 22-11-2017

This writ petition has been filed for release of a Scorpio vehicle bearing Registration No. BR05P-A5658, which has been seized in connection with Chakiya P.S. Case No. 122/2017 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, it is directed that pending finalization of the aforesaid 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, Motihari and further undertaking to produce the vehicle as and when directed by the District Magistrate, Motihari 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)

KKSINHA/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.11.2017
Transmission Date	NA

