

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16685 of 2017

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Savita Devi, Wife of Late Kanhaiya Singh, Resident of Village-Mubarakpur,
P.O.-Inai, P.S.-Ravilganj, District-Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise & Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate-Cum-Collector, Saran at Chapra,
3. The Assistant Excise Commissioner, Saran at Chapra,
4. The Superintendent of Excise, Saran at Chapra,
5. The Superintendent of Police, Saran at Chapra,
6. The Vehicle Inspector, Saran at Chapra,

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Respondent/s : Mr. Vikash Kumar -SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 28-11-2017 This writ petition has been filed for release of a vehicle (Three wheeler passenger auto) bearing Registration No. BR 04PA- 0610, which has been seized in connection with Ravilganj P.S. Case No. 104 of 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 confiscation proceedings and the aforesaid criminal case, the aforesaid vehicle in question shall be released to the petitioner on her furnishing Bank Guarantee to the satisfaction of District Magistrate-cum-Collector, Saran at Chapra and further undertaking to produce the vehicle as and when directed by the District Magistrate, Saran at Chapra and not to alienate or deal with the vehicle in question or create a third party interest 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)

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