

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18296 of 2017

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Vijay Kumar Rai Son of Raghunath Rai R/o Vill Mahnwa Rampurwa P.S.
Majhuwalia, District West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Excise and Prohibition, Govt. of Bihar, Patna.
2. The District Magistrate, Bettiah, W. Champaran.
3. The Senior Superintendent of Police, Bettiah W. Champaran.
4. The Officer-in-Charge of Nadi Police Station, W. Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2
For the Respondent/s : Mr. LALIT KISHORE-AG

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-12-2017 This writ petition has been filed for release of a vehicle (Maruti Swift Dzire VDI) bearing Registration No. JH0-2AJ 5568, which has been seized in connection with Nadi P.S. Case No.67 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/or 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/or criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing two surety bonds to the satisfaction of Collector-cum-District Magistrate, Bettiah, W. Champaran and further undertaking to produce the vehicle as and when directed by the Collector-cum-District Magistrate, Bettiah, W. Champaran and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and/or criminal case in any manner so as to create third party interest or cause prejudice to the rights of the State Government in the confiscation proceedings and/or 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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