

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18603 of 2017

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Renu Devi, Wife of Naval Kishore Chaudhary, Resident of Ward No.4,
Dumrapatti, Dumra, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Bihar Prohibition and Excise Act, Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, Sitamarhi.
3. The Senior Superintendent of Police, Sitamarhi.
4. The Excise Superintendent, Sitamarhi.
5. The Assistant Excise Commissioner, Sitamarhi.

.... Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Vikash Kumar, SC-11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-12-2017

This writ petition has been filed for release of a vehicle in question (Motorcycle, Bajaj Discover) bearing Chassis No. MD2A15BYIHRD 72629, which has been seized in connection with G.O. Case No. 192 of 2017 due to violation of the Excise Act. The confiscation proceedings are pending and 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 aforesaid criminal case, the aforesaid vehicle in question shall be released to the petitioner on her furnishing Bank guarantee equivalent to the value of the motorcycle to the satisfaction of District Magistrate, Sitamarhi within a period of one week from the date of furnishing the bank guarantee and further undertaking to produce the vehicle as and when directed by the District Magistrate, Sitamarhi 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)

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