

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17803 of 2017

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Naresh Prasad Agrawal, Son of Late Ram Balak Prasad, Resident of Village
- Kothwara, P.S. - Dobhi, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Excise Department,
Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Senior Superintendent of Police, Gaya.
4. The Officer-In-Charge, Police Station - Dobhi, District - Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Respondent/s : Mr. Kumar Manish, SC-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 08-12-2017 This writ petition has been filed for release of a

vehicle in question (Mahindra Pick-Up Van) bearing Registration

No. BR 02Q- 6993, which has been seized in connection with

Sherghati (Dobhi) P.S. Case No. 500 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 his furnishing Bank Guarantee to the satisfaction of District Magistrate, Gaya with regard to the value of the vehicle and further undertaking to produce the vehicle as and when directed by the District Magistrate, Gaya 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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