

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17387 of 2017

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Sanjeev Kumar Tripathi @ Sanjiv Kumar Tripathy Son of Vijay Kumar Tripathi, Resident of Mohalla-Hiranand Sah Ki Gali, P.S.-Chouk, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, Through The Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Senior Superintendent of Police, Patna.
4. The Officer Incharge, Chouk, P.s. Chouk, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinod Pandey, Adv.
For the Respondent/s : Mr. KUMAR MANISH -SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 29-11-2017 This writ petition has been filed for release of a vehicle (Naino Car) bearing Registration No. BR-1BA-4999, which has been seized in connection with Chouk P.S. Case No. 127/2016 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/or criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing Bank Guarantee to the satisfaction of District Magistrate, Patna and further undertaking to produce the vehicle as and when directed by the District Magistrate, Patna 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 a third party interest or cause prejudice to the rights of the State Government.

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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