

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17952 of 2017

Uttam Mandal, Son of Nirmal Mandal, Resident of Gorkhali, Kamalpur, Maheshdari, P.S.- South 24 pargana, District- Magrahat, West Bengal, 743609. at present R/o Padampur Chakdaha, P.S.- South 24 Pargana, District- Magrahat, West Bengal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Govt. of Bihar, Patna.
2. The District Magistrate, Nawada.
3. The Superintendent of Police, Nawada.
4. The Officer in charge, Town Police Station, Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.
For the Respondent/s : Mr. Vikash Kumar -SC11

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 11-12-2017

This writ petition has been filed for release of a vehicle (Safari) bearing Registration No. WB-22U-1550, which has been seized in connection with Nawada Town Police Station Case No.755 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 sureties to the satisfaction of Collector-cum-District Magistrate, Nawada and further undertaking to produce the vehicle as and when directed by the Collector-cum-District Magistrate, Nawada 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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