

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18610 of 2017

=====

Laxmi Kumar Yadav, aged about 40 Years, S/o Sri Shakal Dev Prasad Yadav, R/o Village- Shekhpur Post- Mushahari, P.S.- Ahiapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Prohibition and Registration Department, Bihar, Patna.
2. The Collector Cum District Magistrate, Muzaffarpur.
3. The Senior Superintendent of Police, Muzaffarpur.
4. The Deputy Superintendent of Police, Muzaffarpur.
5. The Officer In Charge, P.S. Ahiapur, Muzaffarpur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rama Kant Singh, Advocate
Mr. Vijay B. Pandey, Advocate

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

=====

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 (Scorpio) bearing Registration No. BR 06PD 0661, which has been seized in connection with Ahiapur P.S. Case No. 761 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 equivalent to the value of the vehicle to the satisfaction of District Magistrate, Muzaffarpur 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, Muzaffarpur 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)

Uday/-

U			
---	--	--	--

