

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5654 of 2018

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Ashok Chaudhary @ Ashok Kumar Chaudhary, Son of Late Sita Chaudhary,
Resident of Mohalla - Devisarai, Police Station - Deepnagar, District- Nalanda
.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Department, Government of Bihar, Patna.
 2. The District Magistrate, Nalanda.
 3. The Superintendent of Police, Nalanda.
 4. The District Transport Officer, Nalanda.
 5. The Officer in Charge Telhara Police Station Asthawan, District- Nalanda.
- Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Hansraj
For the Respondent/s : Mr. VIKASH KUMAR -SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 28-03-2018

This writ petition has been filed for release of his vehicle Ambassador car (described in the body of the petition as Scorpio Car but shown as Ambassador car in the seizure memo), bearing Registration No. DL-2CM-0443, Engine No. 886813, Chassis No. 057782 which has been seized in connection with Telhara P.S. Case No. 06/2018 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 criminal case, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing requisite documents and two local sureties to the satisfaction of the District Magistrate, Nalanda, and further undertaking to produce the vehicle as and when directed by the authority concerned and not to alienate or deal with the vehicle in question or create a third party interest during the pendency of the confiscation proceedings and criminal case or prejudice the right of the State in confiscation proceeding. The aforesaid vehicle shall be released within one week from the date of furnishing of the sureties.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	31.03.2018
Transmission Date	N/A

