

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1770 of 2018

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Kameshwar Nath Pathak, Son of Kedar Pathak, Resident of Village-Danwan, P.S.-
Jagdishpur, District-Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Prohibition, Excise & Registration Department,
Government of Bihar, Patna.
3. The Excise Commissioner, Prohibition, Excise & Registration Department,
Government of Bihar, Patna.
4. The District Magistrate-cum-Collector, Rohtas.
5. The Superintendent of Police, Rohtas.
6. The District Transport Officer, Rohtas.
7. The Excise Superintendent, Rohtas.
8. The S.H.O., Sasaram Town Police Station, District-Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate

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

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 01-02-2018

This writ petition has been filed for release of a vehicle
(Bolero) bearing Registration No.BR25B-1025 which has been seized
in connection with Sasaram Town P.S. Case No.207 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 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 two surety bonds to the satisfaction of District Magistrate-cum-Collector, Rohtas and further undertaking to produce the vehicle as and when directed by the District Magistrate-cum-Collector, Rohtas and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case so as to create third party rights or prejudice the rights of the State in the pending proceedings.

The vehicle in question be released within one week from the date of furnishing the surety bonds.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	03-02-2018
Transmission Date	

