

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5261 of 2018

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Amit Kumar Sinha son of Umesh Kumar Sinha, resident of Village Jail chauk
Opposite of Micro Wave Tower Uttar Bhatta Bajar, Purnea, P.S. Sahayak
Khachanchi Hatt, District Purnea.

... .. Petitioner/s

Versus

- 1.The State Of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
- 2.The Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, patna.
- 3.The Collector cum District Magistrate, Purnea.
- 4.The Superintendent of Police, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Respondent/s : Mr. KUMAR MANISH- SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 23-03-2018 This writ petition has been filed for release of a vehicle (Magic) bearing Registration No. BR 11M 3468, which has been seized in connection with Dagarua P.S. Case No. 176 of 2017 due to violation of the Excise Act. The confiscation proceedings being Confiscation Case No. 278 of 2017 is 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 aforesaid confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing Bank Guarantee to the satisfaction of District Magistrate, Purnea 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 Bank Guarantee.

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

(Rajendra Menon, CJ)

(S. Kumar, J)

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