

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5346 of 2018

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Dharmendra Kumar s/o Jugendra Prasad, r/o village Gira, Ratanpur, P.S.
Obra, District Aurangabad.

... .. 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, Aurangabad.
- 4.The Superintendent of Excise, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Singh
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 (Passion Pro) bearing Registration No. BR 26K 1247, which has been seized in connection with Obra P.S. Case No. 195 of 2017 due to violation of the Excise Act.

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, Aurangabad 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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