

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1459 of 2018

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Mumtaz Alam, Son of Mujahir Hussain, Resident of Village- Banstola,
P.S.- Baisi, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Excise Department,
Govt. of Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Collector, Purnea.
4. The S.H.O. Baisi, Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Helal Ahmad, Advocate

For the Respondent/s : Mr. Kumar Manish, SC- 5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 02-02-2018

This writ petition has been filed for release of a vehicle in question (Tempo) bearing Registration No. BR 11T 2451, which has been seized in connection with C1- 122 of 2016 due to violation of the Excise Act. The confiscation proceedings being Excise Case No. 160 of 2016 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 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, Purnia 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, Purnia 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)

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