

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1448 of 2018

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Vikash Kumar Rai, Son of Indradev Rai, Resident of Hanuman Mandir,
No.9, Raj Ground, Jhariya, P.S. Dist Dhanbad, (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar.
2. The Director General of Police, Bihar, Patna.
3. The District Magistrate-cum-Collector, Vaishali at Hajipur.
4. The Superintendent of Police, Vaishali at Hajipur.
5. The S.H.O., Hajipur Industrial P.S., Vaishali at Hajipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ansul, Advocate

For the Respondent/s : Mr. Anil Kumar Sinha, GA-1

Mr. Aditi Hansaria, AC to GA-1

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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 (Pickup Van) bearing Registration No. JH10BC-0782, which has been seized in connection with Hajipur Industrial P.S. Case No. 93 of 2017 due to violation of the Excise Act. The confiscation proceedings 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, Vaishali at Hajipur 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, Vaishali at Hajipur 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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