

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9343 of 2018

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Raj Kishore Sah, son of Sri Rajbansh Sah, resident of village-Dhanechha,
P.O.+P.S.-Durgawati, District-Kaimur (Bhabhua)

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Excise Department,
Government of Bihar, New Secretariat, Vikash Bhawan, Patna, Bihar.
2. The Collector-cum-District Magistrate, Rohtas at Sasaram.
3. The Superintendent of Police, Rohtas at Sasaram.
4. The Officer-in-Charge, Shivsagar Police Station, District-Rohtas at
Sasaram.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma, Adv.
Ms. Kiran Kumari Sharma, Adv.

For the Respondent/s : Mr. Anil Kumar Sinha -GA1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 16-05-2018 Learned counsel for the petitioner is permitted to make
necessary correction in the cause title in course of the day.

This writ petition has been filed for release of a vehicle
(Pick-up Van) bearing Registration No. UP-67T-8760, which has
been seized in connection with Shivsagar P.S. Case No. 86/2018
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 confiscation proceedings and aforesaid 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, Rohtas at Sasaram 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 sureties.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

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