

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11506 of 2018

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Amit Kumar Divakar Son of Jitendra Kumar Yadav resident of Village -
Siswa Barhi, P.O. - Siswa Barhi, P.S. - Phulparas, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department,
Govt. of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Madhubani.
3. The Superintendent of Police, Madhubani.
4. The S.H.O. Andharamath Police Station, Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Respondent/s : Mr. Vivek Prasad- GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 27-06-2018

This writ petition has been filed for release of a
vehicle (Tata Safari) bearing Registration No. DL-3CAX-6800,
which has been seized in connection with Andharamath P.S. Case
No. 113 of 2017 due to violation of the provisions of the Excise
Act.

It is common ground that in various cases, identical in
nature, pending finalization of the confiscation/excise/criminal
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/excise proceedings and/or criminal case, the vehicle in question shall be released to the petitioner on the petitioner furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Madhubani 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 during the pendency of the confiscation/excise proceedings and/or criminal case so as to create third party rights or prejudice the rights of the State in the pending proceedings.

The vehicle in question be released within one week from the date of furnishing the surety bonds.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.jha/- N.H.

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