

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3513 of 2018

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Shambhu Ray @ Shambhu Kumar Ray, son of Chandrama Ray, resident of
Village- Hansrajpur Khurd, P.S.- Baniyapur, District- Saran at Chapra

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna
2. The District Magistrate-cum-Collector, Saran at Chapra
3. The Assistant Excise Commissioner, Saran at Chapra
4. The Superintendent of Excise, Saran at Chapra
5. The Superintendent of Police, Saran at Chapra
6. The Vehicle Inspector, Saran at Chapra

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dewendra Narayan Singh, Adv.
For the Respondent/s	:	Mr. ANIL KUMAR SINHA -GA1
		Ms. 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 05-03-2018 This writ petition has been filed for release of a vehicle (Motorcycle) bearing Registration No. BR 04V 9936, which has been seized in connection with Mashrak P.S. Case No. 231 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 the bank guarantee to the satisfaction of District Magistrate-cum-Collector, Saran at Chapra 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 bank guarantee.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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