

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4179 of 2018

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Rohit Kumar Son of Bindeshwari Singh, Resident of Village-Iniyar, P.S.
Muffasil (Lakho), District Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Excise and Prohibition, Government of Bihar, Patna.
2. District Magistrate, Begusarai
3. Superintendent of Police, Begusarai
4. Officer Incharge of Muffassil (Lakho) Police Station, District-Begusarai
5. Superintendent of Excise, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Md.Imteyaz Ahmad, Advocate Mr. Ritwaj Raman, Advocate
For the Respondent/s	:	Mr. Kumar Manish -SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

- 2 09-03-2018 This writ petition has been filed for release of a car (Swift Dezire VXi) bearing Registration No. BR 09V-5419, which has been seized in connection with Mufassil (Lakho) P.S. Case No. 298/2017 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 criminal case.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings/criminal case 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 criminal case and any other proceedings which may be initiated in accordance with law, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing Bank Guarantee to the satisfaction of District Magistrate, Begusarai 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 criminal case or any other proceedings which may be initiated in accordance with law 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 Bank Guarantee.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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