

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4280 of 2018

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Uttam Singh, Son of Sri Jay Prasad Singh, R/o House No. 24, Village-Majhauni,
P.S.-Rajaun, District-Banka at Present Employee of Future Wiz Company Pvt. Ltd.
At 1st Floor of NRi Plaza Rajiv Nagar, P.S.-Patliputra, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Bihar Prohibition and Excise Department, Bihar, Patna.
2. The Excise Commissioner, Bihar Prohibition and Excise Department, Bihar, Patna.
3. The Excise Officer, Bihar Prohibition and Excise Department, Patna.
4. The District Magistrate, Patna.
5. The Senior Superintendent of Police, District of Patna, Bihar.
6. The Officer in Charge of Patliputra Police Station, District-Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh

For the Respondent/s : Mr. ANIL KR.SINHA-GA1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 12-03-2018

This writ petition has been filed for release of a vehicle
(Motorcycle) bearing Registration No. BR-01CQ-3614 which has
been seized in connection with Patliputra P.S. Case No. 156 of 2017,
Spl. Case No.17-0/2017 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 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 two surety bonds to the satisfaction of District Magistrate, Patna, 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/-

AFR/NAFR	
CAV DATE	
Uploading Date	16.03.2018
Transmission Date	

