

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8280 of 2018

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Mantu Kumar Ray, Son of Musafir Ray, Resident of Shahpur Diyara, Pahleza,
Sonepur, District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Bihar at Patna.
2. The District Magistrate, Patna.
3. The Senior Superintendent of Police, Patna.
4. The Superintendent of Police (City), Patna.
5. The S.H.O. Police Station-Digha, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanchay Srivastava, Advocate
For the Respondent/s : Mr. A.K. Sinha- GA-1

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 01-05-2018 This writ petition has been filed for release of a vehicle (Pickup Van) bearing Registration No. BR-01-GB-6753 along with band trolley attached to it, which has been seized in connection with Digha P.S. Case No. 83/2018 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 along with band trolley attached to it 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 and the band trolley as and when directed by the authority concerned and not to alienate or deal with the vehicle in question and the band trolley 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 and the band trolley 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)

P.K.P./-

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