

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6782 of 2018**

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Vivekanand Choudhary, Son of Bashisth Narayan Choudhary @ Bashst Narayan Choudhary, Resident of Village-Bisheshwariya Colony South Barmasia, P.S. Deoghar, District-Deoghar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Department, Bihar, Patna
2. The Superintendent of Police, Vaishali
3. The Sub Divisional Police Officer, Mahua, Vaishali
4. The Officer in charge, Patepur, P.S. Vaishali
5. The Assistant Excise Commissioner, Vaishali at Hajipur
6. The District Magistrate, Vaishali at Hajipur

... .. Respondent/s

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**Appearance :**

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|----------------------|---|--------------------------------------|
| For the Petitioner/s | : | Mr. Ram Sandesh Roy, Advocate        |
|                      |   | Mr. Mirtunjay Kumar Mishra, Advocate |
| For the Respondent/s | : | Mr. Anil Kr.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      12-04-2018                      This writ petition has been filed for release of a vehicle (Nissan Micra @ Nissan ke Mahindara XL @ Nissan Micra XL) bearing Registration No. JH15L3124, which has been seized in connection with Patepur P.S. Case No. 100/2017 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 confiscation proceedings and aforesaid 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, Vaishali at Hajipur 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)**

P.K.P./-

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