

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3600 of 2018

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Amna Khatoon, Daughter of Anis Khan, R/o Village- Narhar, P.S.- Nawada, District- Nawada, At present Address Amna Khatoon, W/o Shahjad Khan, r/o Village- Bhadauni Guljar Nagar, P.S.- Nawada, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Government of Bihar, Patna.
3. The Excise Commissioner, Patna Range, Patna.
4. The Collector-cum-District Magistrate, Nawada.
5. The superintendent of Police, Nawada.
6. The Excise Superintendent, Nawada.
7. The Station Head Officer, Police Station Town, Nawada.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Respondent/s : Mr. Vikash Kumar, SC-11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 26-02-2018

This writ petition has been filed for release of a vehicle in question (Pick-up Van) bearing Registration No. BR 27C - 4044, which has been seized in connection with Town (Nawada) P.S. Case No. 712 of 2017, due to violation of the Excise Act. The confiscation proceedings are pending and 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 Bank guarantee to the satisfaction of District Magistrate, Nawada, within a period of one week from the date of furnishing the Bank guarantee, and further undertaking to produce the vehicle as and when directed by the District Magistrate, Nawada and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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