

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.6363 of 2018**

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Bhanu Pratap Singh, son of Sri Surendra Singh R/o village – Kapia Jagir, P.S. – Maharajganj, District – Siwan.

.... .... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department, Bihar Patna.
2. The Excise Commissioner, Bihar, Patna
3. The District Magistrate cum Collector, Saran at Chapra.
4. The Superintendent of Police, Saran at Chapra.
5. The Deputy Superintendent of Police, Saran at Chapra.
6. The Officer in Charge of Janta Bazar Police Station under Saran District.

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Nawal Kishore Singh

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 JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date: 06-04-2018**

This writ petition has been filed for release of a vehicle (Four Wheeler Bolero Jeep) bearing Registration No. BR29M-6351, which has been seized in connection with Janta Bazar P.S. Case No. 124/2017 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 Bank Guarantee to the satisfaction of District Magistrate, Saran at Chapra 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 Bank Guarantee.

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

**(Rajendra Menon, CJ)**

**(Rajeev Ranjan Prasad, J)**

Arvind/-

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| AFR/NAFR          | NAFR       |
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