

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6248 of 2018**

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Dhananjay Kumar, son of Bashi Sath Singh, resident of village- Raghunath  
Tola Anisabad, P.O. Anisabad, P.S.- Gardanibagh, District- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Bihar Prohibition  
and Excise Department, Bihar, Patna.
2. The District Magistrate, Patna.
3. The Superintendent of Police, Patna.
4. The Excise Superintendent, Patna.
5. The Officer in charge, Janipur, Phulwarisharif, Patna.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar Sinha, Advocate

For the Respondent/s : Mr. Vikash Kumar-SC11

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN  
PRASAD**

**ORAL ORDER**

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

2      09-04-2018                      This writ petition has been filed for release of a  
  
vehicle ( Tempo ) bearing Registration No. BR-01 PH- 3626,  
  
which has been seized in connection with Phulwarisharif Janipur  
  
P.S. Case No. 761 of 2017 due to violation of the provisions of the  
  
Excise Act.

It is common ground that in various cases, identical in  
nature, pending finalization of the confiscation/excise/criminal  
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/excise proceedings and/or criminal case, the vehicle in question shall be released to the petitioner on the petitioner furnishing Bank Guarantee to the satisfaction of District Magistrate-cum-Collector, 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 during the pendency of the confiscation/excise proceedings and/or criminal case so as to create third party rights or prejudice the rights of the State in the pending proceedings.

The vehicle in question be released within one week from the date of furnishing Bank Guarantee.

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

**(Rajendra Menon, CJ)**

**(Rajeev Ranjan Prasad, J)**

N.H./-

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