

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5521 of 2018

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Anil Kumar Singh, son of Anirudh Singh, resident of Mohalla-Mehram Nagar
Delhi Cant, P.S.-Delhi Cant, District-New Delhi

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration Excise and Prohibition Department Govt. of Bihar, Patna.
2. The Principal Secretary, Registration Excise and Prohibition Department Govt. of Bihar, Patna.
3. The District Collector, Motihari, East Champaran.
4. The Superintendent of Police, Motihari, East Champaran.
5. The officer-in-charge of Dumariya Ghat Police Station, District-East Champaran.
6. The Investigating Officer of Dumariya Ghat Police Station Case No.107 of 2017.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijayshankar Shrivastava, Adv.
Mr. Pravin Kumar, Adv.

For the Respondent/s : Mr. ANIL KUMAR SINHA -GA1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 04-04-2018

This writ petition has been filed for release of a vehicle (White Colour Maruti Eco) bearing Registration No. DL1LV-3408 Model No.Eco. Flaxi Green Chassis No.MA3ERF1S00379326, Engine No.012BN355164, which has been seized in connection with Dumariya Ghat P.S. Case No. 107 of 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, Motihari, East Champaran 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)

Arvind/-

(Rajeev Ranjan Prasad, J)

AFR/NAFR	
CAV DATE	
Uploading Date	07.04.2018
Transmission Date	

