

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6534 of 2018

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1. Suraj Kumar, son of Late Rudal Raut, resident of Village- Aghoria Bazar
Narayan Colony, P.O.+ P.S.- Muzaffarpur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,
Bihar, Patna.
2. The Collector cum District Magistrate, Vaishali at Hajipur.
3. The Superintendent of Excise, Vaishali at Hajipur.
4. The Superintendent of Police, Vaishali at Hajipur.
5. The Station Head Officer, Goraul Police Station, District- Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

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 10-04-2018 This writ petition has been filed for release of a vehicle
(Auto Tempo) bearing Registration No.BR06PD-2636 which has
been seized in connection with Goraul P.S. Case No.298 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, 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 Bank Guarantee.

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

(Rajendra Menon, CJ)

Sanjeev/-

(Rajeev Ranjan Prasad, J)

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