

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

**Civil Writ Jurisdiction Case No.6110 of 2018**

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1. Ranjit Kumar Mehta son of Sri Prakash Mehta Resident of village Silwarkalan,  
P.S. Jagarnathdham, P.S. Muffasil, District Hazaribagh (Jharkhand).

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Prohibition, Excise and  
Registration Department, Govt. of Bihar.
2. The Excise Commissioner, Govt. of Bihar.
3. The Deputy Commissioner (Excise Magadh).
4. The Assistant Commissioner (Excise), Gaya.
5. The Senior Superintendent of Police, Gaya.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Neerad Parashar

For the Respondent/s : Mr. VIVEK PRASAD- GP7

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL JUDGMENT**

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

**Date: 05-04-2018**

This writ petition has been filed for release of a vehicle  
(Bolero Pick Up Van) bearing Registration No. JH02AC-7759 which  
has been seized in connection with Rampur P.S. Case No. 448/2017  
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, Gaya 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)**

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 07.04.2018 |
| Transmission Date | NA         |

