

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2299 of 2018

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Ajay Kumar Chaudhary @ Ajay Chaudhary, Son of Sukul Chaudhary, R/o
Village- Belahari, P.S.- Mohania, District- Kaimua at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Excise Department, State of Bihar, Patna.
2. The Collector cum District Magistrate, Kaimur at Bhabua.
3. The Superintendent of Police, Kaimur at Bhabua.
4. The Officer-in-Charge of Bhabua Police Station, Kaimur at Bhabua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, 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 JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 16-02-2018

This writ petition has been filed for release of a vehicle (Mahindra Scorpio) bearing Registration No. BR-1AM 0002, which has been seized in connection with Mohania P.S. Case No. 695/2017 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 confiscation proceedings and aforesaid criminal case, the aforesaid vehicle in question bearing Registration No. BR-1AM 0002 shall be released to the petitioner, even though it has been wrongly mentioned in certain documents as BR-1M 0002 and the word “A” is missing, on his furnishing two surety bonds to the satisfaction of District Magistrate, Kaimur at Bhabua 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 sureties.



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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	19.02.2018
Transmission Date	

