

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5316 of 2018

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Vinay Kumar Son of Sh. Rama Shankar Prasad Resident of Linepar, PO + PS
- Nawada, District - Nawada 805110.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise, Prohibition & Registration Department, Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, Nawada.
3. The Superintendent of Excise, Nawada.
4. The Sub Inspector, Excise, Excise Check Post, Govindpur, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Abhimanyu Pratap
For the Respondent/s : Mr. ANIL KR.SINHA-GA1

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 26-03-2018 This writ petition has been filed for release of a vehicle (Motorcycle) bearing Registration No. BR 27D7876, which has been seized in connection with Govindpur Excise Check Post Case No. 05/2016 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, Nawada 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)

(S. Kumar, J)

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