

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6850 of 2018

Arvind Prasad Gupta, S/o- Late Anandi Prasad Gupta, aged about 45 years,
Resident of Village Kashigawan, P.O. Banjari, P.S. Rohtas, Bihar- 821303

... .. Petitioner/s

Versus

1. he State Of Bihar through its Principal Secretary, Department of Excise,
Patna, Bihar

2. Principal Secretary, Excise Department, Patna, Bihar

3. District Magistrate-cum-Collector, Rohtas, Bihar

4. Senior Superintendent of Police, Rohtas, Bihar

5. Arvind Kumar Gautam, Officer-In-Charge, P.S. Indrapuri, Dehri, Dist.-
Rohtas, Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ravi Kumar, Advocate

For the Respondent/s : Mr. Kumar Manish-SC 5

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 12-04-2018 This writ petition has been filed for release of a
vehicle (Renault Duster) bearing Registration No. JH-10-AL-
4492 and a Samsung Mobile Phone, Model N9208 with IMEI
No.356007/07/401862/8, which have been seized in connection
with Indrapuri P.S. Case No. 1040 of 2017 due to violation of
the provisions of the Excise Act.

It is common ground that in various cases, identical
in nature, pending finalization of the
confiscation/excise/criminal proceedings, vehicles and other
items 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/excise proceedings and/or criminal case, the vehicle and the mobile in question shall be released to the petitioner on the petitioner furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Rohtas, Bihar and further undertaking to produce the vehicle and the mobile as and when directed by the authority concerned and not to alienate or deal with the same during the pendency of the confiscation/excise proceedings and/or criminal case so as to create third party rights or prejudice the rights of the State in the pending proceedings.

The vehicle and the mobile in question be released within one week from the date of furnishing the surety bonds.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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