

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5419 of 2018

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Zarina Khatoon, Wife of Late Kaushar Khan, Resident of Chaknoor, Dighwara, Police Station- Dighwara, District- Saran, at present residing at 36/1, F1/-2 Phears Lane Chittaranjan Avenue, Police Station- Bowbazar, West Bengal, District Kolkatta.

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Old Secretariat, Patna.
2. The Principal Secretary, Department of Excise, Government of Bihar, Patna.
3. The District Magistrate-Cum- Collector, Saran.
4. Superintendent of Police, Saran.
5. Officer in Charge, Town Police Station- Chapra.
6. Investigating Officer, Town Police Station- Case No. 529 of 2017.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar Shrivastava, 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 ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 09-04-2018 This writ petition has been filed for release of a vehicle (Bolero Jeep/Car) bearing Registration No. BRO4N-3173, which has been seized in connection with Town P.S. Case No.529 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 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 in question shall be released to the petitioner on the petitioner furnishing Bank Guarantee to the satisfaction of District Magistrate-cum-Collector, Saran 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 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 in question be released within one week from the date of furnishing Bank Guarantee.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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