

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4652 of 2018

Vinod Kumar son of Parikshan Mahto @ Prikshan Mahto, resident of B-340, J.J. colony, Dwarka Sector-15, NSIT, Dwarka, South West Delhi, Delhi 110075.

... .. Petitioner/s

Versus

- 1.The State Of Bihar through the Principal Secretary, Department of Excise, Govt. of Bihar, Patna.
- 2.The District Magistrate, East Champaran, Motihari.
- 3.The Superintendent of Police, East Champaran, Motihari.
- 4.The Officer in Charge, Dumariyaghat, Police Station, District East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dhurendra Kumar
For the Respondent/s	:	Mr. KUMAR MANISH- SC5

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 23-03-2018 This writ petition has been filed for release of a vehicle (Maruti Shif Desire) bearing Registration No. DL 1YE 5674, which has been seized in connection with Dumariyaghat P.S. Case No. 115 of 2017 due to violation of the Excise Act.

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 of bank guarantee to the satisfaction of District Magistrate, East Champaran, Motihari 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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