

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1917 of 2018

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Sagar Kumar, son of Nakul Prasad, resident of – East Ashok Nagar, Road No.14,
Kankarbagh, P.S.- Lohia Nagar, Near Puja Medical Hall, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The Collector, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Officer-in-Charge, Phulwariya P.S., District- Gopalganj.
5. The Sub-Inspector of Police, Sripur Out Post, Phulwariya Police Station,
District- Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Shally Kumari, Advocate

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

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 01-02-2018

This writ petition has been filed for release of a vehicle
(Ambulance) bearing Registration No.BR-01PF/7573 which has been
seized in connection with Phulwariya P.S. Case No.272 of 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 aforesaid confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Gopalganj and further undertaking to produce the vehicle as and when directed by the District Magistrate-cum-Collector, Gopalganj and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and 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 the surety bonds.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	03-02-2018
Transmission Date	

