

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1362 of 2018

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Munna Kumar, Son of Singashan Singh, Resident of Mohalla-
Mahabirsthan, Kuraich, Ward No. 6, Police Station- Sasaram (Model),
District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The Divisional Commissioner, Excise Department, Patna Division, Patna.
3. The District Magistrate, Rohtas at Sasaram.
4. The Superintendent of Police, Rohtas at Sasaram.
5. The Officer-Incharge Chenari, P.S.- Rohtas, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar prasad Gupta, Advocate
For the Respondent/s : Mr. VIVEK PRASAD -GP7

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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 (Tata Zest XM Car) bearing Registration
No. BR 24Q 7703, which has been seized in connection



with Chenari P.S. Case No. 86 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 Confiscation Case No. 136 of 2017 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, Rohtas at Sasaram and further undertaking to produce the vehicle as and when directed by the District Magistrate, Rohtas at Sasaram 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 sureties.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	09.02.2018
Transmission Date	

