

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1431 of 2018

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Raj Kumar Paswan, son of Mungeshwar Paswan, resident of Village- Bahwalpur,
Police Station Guraru, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Excise Department, Govt. of Bihar, Patna.
2. The District Magistrate, District Gaya.
3. The Superintendent of Police, Gaya.
4. The District Transport Officer, Gaya.
5. The Officer in Charge, Guraru Police Station, District Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramashish, 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: 30-01-2018

This writ petition has been filed for release of a vehicle
(Hero Achiver Motorcycle) bearing Registration No. BRO2AF 3773,
which has been seized in connection with Guraru P.S. Case No.73 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, Gaya and further undertaking to produce the vehicle as and when directed by the District Magistrate-cum-Collector, Gaya 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	01-02-2018
Transmission Date	

