

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8348 of 2018

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Ajay Kumar @ Ajay Kumar Gupta, Son of Chandrabhan Prasad, Resident of
Deo Nagar, Kathar Mode, P.S.- Nagdi, Ranchi (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through Home Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Excise and Prohibition.
3. The Director General of Police, Government of Bihar, Patna.
4. The District Magistrate cum Collector, Patna.
5. The Senior Superintendent of Police, Patna,
6. The S.H.O. Bihta Police Station,. District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, 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 16-05-2018 This writ petition has been filed for release of a

vehicle (Maruti Swift Dzire) bearing Registration No.JH01CB-

7434, which has been seized in connection with Bihta Police

Station Case No. 28 of 2018 along with Rs.1,57,750/- 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 along with Rs.1,57,750/- shall be released to the petitioner on the petitioner furnishing the bank guarantee to the satisfaction of District Magistrate-cum-Collector, Patna 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 the bank guarantee.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/-

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