

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8074 of 2018**

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Binay Kumar Singh, Son of Sardar Prasad Singh, Resident of South Indira Nagar, Road No.7, Postal Park, P.S. Kankarbagh, District Patna. Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, New Secretariat, Bailey Road, Patna, Bihar.
2. The Excise Commissioner, Excise and Prohibition Department, New Secretariat, Bailey Road, Patna, Bihar.
3. The Collector, Nalanda, Bihar.
4. The Superintendent of Police, Nalanda, Bihar.
5. The Superintendent of Excise, Nalanda, Bihar.
6. The Officer In-Charge, Deepnagar Police Station, Nalanda. Bihar.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Binay Kumar, Advocate  
For the Respondent/s : Mr. Kumar Manish -SC-5

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      02-05-2018                      This writ petition has been filed for release of a vehicle (Goods Truck of TECLO Make) bearing Registration No. BR-53-4843, which has been seized in connection with Deepnagar P.S. Case No. 60/2018 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 confiscation proceedings and aforesaid 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, Nalanda, Bihar 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 sureties.

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

**(Rajendra Menon, CJ)**

**( Rajeev Ranjan Prasad, J)**

P.K.P./-

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