

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7775 of 2018

=====

Ajay Kumar @ Jhakhrah, Son of late Siya Sharan Sharma, Resident of
Village-Kandaul, P.S.-Hulasganj, District-Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Dept. of Excise,
Govt. of Bihar, Patna.
2. The Principal Secretary, Dept. of Excise, Govt. of Bihar, Patna.
3. The District Magistrate, Jehanabad.
4. The Superintendent of Police, Jehanabad.
5. The Sub-Division Magistrate, Jehanabad.
6. The Officer-in-Charge, Hulasganj Police Station, District-Jehanabad.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Respondent/s : Mr. Vivek Prasad -GP7

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 24-04-2018 This writ petition has been filed for release of a

vehicle (Motor Cycle) bearing Registration No. BR-02-AD 7445,

which has been seized in connection with Hulasganj P.S. Case

No.115 of 2016 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 shall be released to the petitioner on the petitioner furnishing Bank Guarantee to the satisfaction of District Magistrate-cum-Collector, Jehanabad 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 Bank Guarantee.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.jha/-

U			
---	--	--	--

