

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8062 of 2018

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Devan Kumar @ Devan Mandal, Son of Rajendra Mandal, Resident of
Village- Rani Talab (Sabour Road), P.S.- Zero Mile, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary (Excise Department)
Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, Khagaria, District- Khagaria.
3. The Superintendent of Police, Khagaria, District- Khagaria.
4. The Officer-in-Charge, Khagaria, Police Station, District- Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP 7

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 30-04-2018 This writ petition has been filed for release of a

vehicle (Tempo) bearing Registration No. BR10PA-9323, which

has been seized in connection with Khagaria P.S. Case No. 146

of 2018 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 the bank guarantee to the satisfaction of District Magistrate-cum-Collector, Khagaria 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)

(Sanjay Kumar, J)

K.C.Jha/-

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