

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8278 of 2018**

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Nilesh Kumar, Son of Ram Vilash Singh @ Rambilash Singh, Resident of Village-  
Mahendrapur, Ward No. 5 Hathidah District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Collector, Gaya, Begusarai.
3. The Superintendent of Police, Begusarai.
4. The S.H.O. Birpur, P.S. District-Begusarai.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Manoj Kumar, Advocate |
| For the Respondent/s | : | Mr. Vikash Kumar- SC-11   |

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

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

2      01-05-2018                      This writ petition has been filed for release of a vehicle (Truck) bearing Registration No. BR 01GE 8996 along with spare parts of the cycle, which has been seized in connection with Birpur P.S. Case No. 17/2018 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 along with spare parts of the cycle as indicated in the seizure-memo shall be released to the petitioner, on his furnishing Bank Guarantee to the satisfaction of District Magistrate, Begusarai 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 and the spare parts of the cycle as indicated in the seizure memo 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 along with spare parts of the cycle shall be released within one week from the date of furnishing of the Bank Guarantee.

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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