

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2846 of 2018

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Javed Ansari, Son of Aifayat Ansari, a resident of Ranga, P.S.- Saraiya,
District- Dumka (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Excise Department,
Bihar, Patna.
2. The Collector and District Magistrate, Patna.
3. The Nodal Officer, Excise, Patna.
4. The Commissioner Excise, Bihar, Patna.
5. The Joint Commissioner, Excise, Patna.
6. The Senior Superintendent of Police, Patna.
7. The Sub-Divisional Officer, Danapur, Patna.
8. The Sub-Divisional Police Officer, Danapur, Patna.
9. The Station House Officer, Malsalami, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Patna

For the Respondent/s : Mr. Kumar Manish -SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 25-04-2018 This writ petition has been filed for release of a

vehicle (Tata ACE) bearing Ex-Engine

No.2751D106BTYS206Y Chasis No.MAT44554G2B07513,

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

No.25 of 2017 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, 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 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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