

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9060 of 2018

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1. Chandrshekhar Kumar @ Chandra Shekhar Kumar, Son of Pramod Prasad Yadav, Resident of Ward No. 08, Dubiyahi, Post Office- Mathahi Police Station + District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Excise, Government of Bihar, Patna.
2. The Principal Secretary Excise, Government of Bihar, Patna.
3. The District Magistrate, Bhagalpur.
4. The Senior Superintendent of Police, Bhagalpur.
5. The Excise Superintendent, District- Bhagalpur.
6. The Officer in charge, Police Station Dholbajja (Kadwa), District- Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Respondent/s : Mr. Vivek Prasad- Gp7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 17-05-2018 This writ petition has been filed for release of a vehicle Alto Sujuki Maruti 800 Car bearing Engine No. F8DN5935991, Chassis No.MA3EUA61S00B79699 which has been seized in connection with Dholbajja (Kadwa) P.S. Case No. 10/2018 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 aforesaid confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing Bank Guarantee to the satisfaction of District Magistrate, Bhagalpur 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 Bank Guarantee.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

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