

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9061 of 2018

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1. Santosh Kumar Singh, S/o Wasist Singh, R/o Village- Barki Semari, P.S.- Mashrakh, District- Saran at Chapra and as Per certificate of registration Address- C/o Pushpodbhav Jha, 307, Vasimdjraace Mearramagro Pre Asjoama, Rd. Patna.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department, Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate cum Collector Saran at Chapra.
4. The Superintendent of Police Saran at Chapra.
5. The Deputy Superintendent of Police Saran at Chapra.
6. The Officer-in-Charge of Guthani Police Station of Siwan District.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Respondent/s : Mr. Anil Kr. Sinha- Ga1

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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 Maruti Wagon RLXI BSIV bearing Registration No. BR01BJ-1867, which has been seized in connection with Guthani P.S. Case No. 151/17 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, Saran at Chapra 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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