

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9454 of 2018

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Lal Deo Ray S/o Ramanand Singh, R/o Village Gulmahiya Bagh Jethuli
Kachi Dargah, Patna, Distt.Patna.

.... Petitioner/s

Versus

1The State of Bihar, through Commissioner, Department of Excise. Govt. of Bihar.

2.The District Magistrate cum District Collector, Patna.

3The Superintendent of Police, Patna at Patna.

4The Excise of Superintendent, Patna at Patna.

5.The Station House Officer, P.S.Nadi, Patna.

6.The Investigating Officer of Nadi P.S.Case No.41/2017

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

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 17-05-2018 This writ petition has been filed for release of a vehicle Mahindra Bolero Pick Up bearing Registration No. BR01GE-9198, which has been seized in connection with Nadi P.S. Case No. 41/2017 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, 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 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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