

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.471 of 2018

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Tunnu Manjhi, Son of Mahadev Manjhi, Resident of Manpur Surya Pokhar,
Police Station- Buinyadganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary.
2. The Excise Commissioner, Bihar Prohibition and Excise Act 2016.
3. The Excise Officer, Bihar Prohibition and Excise Act 2016.
4. The District Collector, District of Gaya, Bihar.
5. The Superintendent of Police, District of Gaya, Bihar.
6. The Officer-in-Charge, Police Station- Baisi, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikram Singh, Adv.
For the Respondent/s : Mr. VIVEK PRASAD -GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 16-01-2018 This writ petition has been filed for release of a vehicle (Motorcycle) bearing Registration No. BR 2AF 6968, which has been seized in connection with Buniyadganj P.S. Case No.76/2017 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-cum-Collector, Gaya and further undertaking to produce the vehicle as and when directed by the District Magistrate-cum-Collector Gaya and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and 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 the Bank Guarantee.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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