

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9245 of 2018**

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1. Satyendra Das, Son of Mundar Das, Resident of Village- Budhaul, P.S.-  
Amas, District- Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,  
Bihar, Patna.
2. The District Magistrate, Gaya, Bihar.
3. The Senior Superintendent of Police, Gaya, Bihar.
4. The Officer Incharge, Amas Police Station, District- Gaya.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Respondent/s : Mr. Vikash Kumar -Sc11

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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  
  
PIAGGIO Tempo bearing Registration No. BR02T-8140, which  
  
has been seized in connection with Amas P.S. Case No. 165 of  
  
2016 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, Gaya 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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