

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9977 of 2018

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Vishwakarma Singh, Son of Late Rajendra Singh, Resident of Village-
Mishrawalia, Police Station- Pachrukhi, District- Siwan

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Excise,
Bihar, Patna
2. The Director General of Police, Bihar, Patna
3. The District Magistrate, Siwan
4. The Superintendent of Police, Siwan
5. The S.H.O., G.B. Nagar Police Station, District- Siwan

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate
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)

4 22-06-2018 This writ petition has been filed for release of a
vehicle (Bolero Pick Up Van) bearing Registration No. BR29N-
0599, which has been seized in connection with G.B. P.S. Case
No. 97 of 2017 due to violation of the provisions of the Excise
Act.

It is common ground that in various cases, identical
in nature, pending finalization of the



confiscation/excise/criminal 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 confiscation/excise proceedings and/or criminal case, the vehicle in question shall be released to the petitioner on the petitioner furnishing the bank guarantee to the satisfaction of District Magistrate-cum-Collector, Siwan 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 during the pendency of the confiscation/excise proceedings and/or 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.

In case the petitioner on verification is found to have purchased the vehicle vide Sale Letter, Annexure-3 dated 31-07-2015 as detailed in Para-6 of the application, the vehicle be released to the petitioner, else the District Magistrate shall record his finding on the enquiry conducted.

With the aforesaid, the writ petition stands allowed



and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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