

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.108 of 2018

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Ashutosh Kumar, son of Rajendra Prasad Singh, Resident of Village- At-
Shree Ram Nagar, Ward No. 26, Manikpur, P.S. Gopalganj, District-
Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary Excise Department,
Govt. of Bihar, Bihar, Patna.
2. The Director General of Police, Bihar, Patna
3. The Excise Commissioner, Bihar, Patna
4. The Inspector General of Police, Bihar, Patna
5. The District Magistrate-cum-Collector, Gopalganj
6. The Superintendent of Police, Gopalganj
7. The Excise Superintendent of Police, Gopalganj
8. The Officer-in-charge, Gopalpur Police Station, Gopalganj.
9. The Investigating Officer of Gopalpur Police Station Case No. 155/17,
Gopalpur, Police Station, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

Mr. Anuj Kumar, Advocate

For the Respondent/s : Mr. Kumar Ravish, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 08-01-2018



This writ petition has been filed for release of a vehicle (Maruti Suzuki Swift) bearing Registration No. HR51AE 4301 (8301 wrongly mentioned in seizure list), which has been seized in connection with Gopalpur P.S. Case No. 155 of 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 confiscation proceedings and aforesaid criminal case, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing Bank Guarantee to the satisfaction of District Magistrate, Gopalganj and further undertaking to produce the vehicle as and when directed by the District Magistrate, Gopalganj 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 a third party interest. 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)

(Anil Kumar Upadhyay, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	09.01.2018
Transmission Date	

