

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10684 of 2018

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Shravan Kumar, son of Asheshwar Mahto, resident of village- Haripur, Post
Office – Bihrha, Police Station- Rosera, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Commissioner, Excise, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The Superintendent of Police, Samastipur.
5. The Superintendent of Excise, Samastipur.
6. The S.H.O. Police, Rosera, Police Station, District- Samastipur.
7. The Sub- Inspector of Police (Informant), Rosera, Police Station, District- Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar, 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)

2 28-06-2018 This writ petition has been filed for release of a vehicle (Tata Tigor XT White Car) bearing Chassis No. MAT629251HKN84584 and Engine Number REVTRN05NSYK69568, which has been seized in connection with Rosera P.S. Case No. 55 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 Bank Guarantee to the satisfaction of District Magistrate-cum-Collector, Samastipur 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 Bank Guarantee.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.jha/-

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