

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10526 of 2018

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Mukesh Kumar Ray, S/o Siyaram Ray, resident of Village- Mohanpur, P.S.-
Patori, District- Samastipur.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rohit Kumar, Advocate
For the Respondent/s : Mr. Vivek Prasad-GP 7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-06-2018 Learned Counsel for the petitioner is permitted to

make necessary correction with regard to particular of the

vehicle.

This writ petition has been filed for release of a
vehicle (Alto Car) bearing Registration No. BR 31Z/9822,
which has been seized in connection with Patori P.S. Case No.
213 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 two surety bonds 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 the surety bonds.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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