

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19268 of 2017

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Jitendra Kumar, S/o Sahavir Prasad, Resident of Village- Dhibrapar Digha,
Dinapur-cum-Khagaul, P.S. Dighaghat, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Excise and Prohibition, Govt. of Bihar, Patna.
2. The District Magistrate Patna.
3. The Senior Superintendent of Police, Patna.
4. The Office-in-charge of Phulwarisharif, Police Station, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate
For the Respondent/s :

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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 (Mahindra Bolero SLX) bearing Registration No. BR-01PB7407, which has been seized in connection with Phulwarisharif P.S. Case No. 749/2017 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 two surety bonds to the satisfaction of District Magistrate, Patna and further undertaking to produce the vehicle as and when directed by the District Magistrate, Patna 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 sureties.

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	

