

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13363 of 2018

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Pankaj Kumar Singh, Son of Chandrika Singh, Resident of Village Tihiya,
P.S. Khaira, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Registration
Excise and Prohibition, Government of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Collector-cum-District Magistrate, Jamui.
4. The State of Bihar through the the Director General of Police, Bihar, Patna.
5. The Superintendent of Police, Jamui.
6. The Police Station House officer, Khaira, District- Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha
For the Respondent/s : Mr. Anil Kr. Sinha- Gal

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 30-07-2018 This writ petition has been filed for release of two

Mobiles namely, Red Colour Diodet Dynatatal D234 and Red
MI NOTE 464 GB Internal IMB I No. 9934734490, IMEI No.
911138650007798, IMBI No. 2 9111386500059791-,
8662550351-105223, 866255035105231, Sl. No.
-15659/80073622, which have been seized in connection with
Khaira P.S. Case No. 405 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/mobiles 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 mobiles in question shall be released to the petitioner on the petitioner furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Jamui and further undertaking to produce the mobiles as and when directed by the authority concerned and not to alienate or deal with the mobiles 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 mobiles 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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