

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14859 of 2018

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Jai Prakash Giri @ Jai Prakash, S/o Chandrika Giri, R/o Village- Belwa, P.S.-
Rampur, District- Deoria (U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Registration Excise & Prohibition Department, Government of Bihar, Patna.
2. The Principal Secretary, Registration Excise & Prohibition Department, Government of Bihar, Patna.
3. The Collector, District- Gopalganj.
4. The Superintendent of Police, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Advocate
For the Respondent/s : Mr. Vikash Kumar - SC-11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-08-2018 This writ petition has been filed for release of

a vehicle (Hundai Grand i10 Sportz) bearing

Registration No. UP 52AR 0588, which has been seized

in connection with Gopalpur P.S. Case No. 28 of 2018

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 aforesaid confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing Bank Guarantee and two local sureties to the satisfaction of District Magistrate, Gopalganj 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 or create a third party interest during the pendency of the confiscation proceedings and criminal case or prejudice the right of the State in confiscation proceeding. Valuation of the vehicle in question shall be done as per the valuation shown in the insurance documents.

The aforesaid vehicle shall be released within one week from the date of furnishing of the Bank Guarantee and the local surety.



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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/Uma-

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