

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10076 of 2018

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Diwakar Singh @ Kallu Singh, Son of Kartik Singh, Resident of Village –
Jugri, P.S. - Sono, District – Jamui.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar,
Patna.
2. The Principal Secretary, Department of Excise, Government of Bihar,
Patna.
3. The District Magistrate, Jamui.
4. The Superintendent of Police, Jamui.
5. The Officer-in-Charge, Sono Police Station, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Respondent/s : Mr. Anil Kumar Sinha – GA 1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 01-08-2018 This writ petition has been filed for release of a
vehicle (Mahendra 409 Pickup Van) bearing Registration No.
JH-10AP-8999, which has been seized in connection with Sono
P.S. Case No. 91 of 2016 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 the bank guarantee to the satisfaction of District Magistrate-cum-Collector, Jamui 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. Valuation of the vehicle in question shall be done as per the valuation shown in the insurance documents.

The vehicle in question be released within one week from the date of furnishing the bank guarantee.

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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