

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1133 of 2018

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Nitesh Kumar, son of Late Bishnudeo Yadav, resident of Village- Hasanganj,
P.S. Kasim Bazar, District- Munger.

... .. 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, Munger.
4. The State of Bihar through the Director General of Police, Bihar, Patna.
5. The Superintendent of Police, Munger.
6. The Police Station House Officer, Mufassil Police Station, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate
For the Respondent/s : Mr. A.K. Sinha- GA1
Mr. Kumar Ravish, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 01-02-2018

This writ petition has been filed for release of a
vehicle (Tata Indica Vehicle) bearing Registration No. UP-04-B-
9922, which has been seized in connection with Mufassil P.S.



Case No. 37 of 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, Munger and further undertaking to produce the vehicle as and when directed by the District Magistrate, Munger 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. 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	09.02.2018
Transmission Date	

