

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2206 of 2018

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Nirmala Devi, W/o Abdhesh Mahto @ Avdhesh Mahto, Resident of Village-
Gangaur, Ward No.2, P.S.- Harlakhi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Prohibition, Excise & Registration Department,
Government of Bihar, Patna.
3. The Excise Commissioner, Prohibition, Excise & Registration Department,
Government of Bihar, Patna.
4. The Collector, Madhubani.
5. The District Transport Officer, Madhubani.
6. The Excise Superintendent, Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate
Ms. Nitu Kumari
For the Respondent/s : Mr. ANIL KUMAR SINHA -GA1
Ms. Aditi Hansaria, AC to GA 1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 12-02-2018

This writ petition has been filed for release of a vehicle
(Bajaj/Discover/125 DTSI ALLOYSS) bearing Registration No. BR
32U 6338, which has been seized in connection with Excise Case
No.300 of 2017-18, arising out of Saharghat P.S. Case No.56 of 2017
due to violation of the Excise Act.

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/or criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing the bank guarantee to the satisfaction of District Magistrate-cum-Collector, Madhubani 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 proceedings and criminal case so as to create third party rights or prejudice the rights of the State in the pending proceedings.

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/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	15-02-2018
Transmission Date	

