

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3444 of 2018

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Pinki Soni, Wife of Late Dharmendra Prasad Soni, Resident of Ward No.08,
Sheohar, P.S. and District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner of Excise, Department of Prohibition & Excise, Government of Bihar, Old Secretariat, Patna.
2. The Collector, Motihari, East Champaran.
3. The Superintendent of Police, Motihari, East Champaran.
4. The Sub Divisional Police Officer, Motihari (East Champaran).
5. The Officer-in-Charge, Kundwa Chainpur, East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Mohan, Advocate

For the Respondent/s : Mr. Vikash Kumar, SC-11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 26-02-2018 This writ petition has been filed for release of a vehicle in question (Mahindra TUV 300) bearing Registration No. BR 55A - 8291, which has been seized in connection with Kundwa Chainpur P.S. Case No. 12 of 2018, due to violation of the Excise Act. The confiscation proceedings are pending and 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 Bank guarantee to the satisfaction of District Magistrate, East Champaran, Motihari, within a period of one week from the date of furnishing the Bank guarantee, and further undertaking to produce the vehicle as and when directed by the District Magistrate, East Champaran, Motihari and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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