

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3641 of 2018

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Kunal Pandey, S/o Late Rajendra Pandey, Resident of Mohalla-Brahmarsichowk, Sri Krishna Nagar, P.S.- Aurangabad (Town), District-Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home (Police) Department, Bihar, Patna.
2. The Principal Secretary, Excise and Prohibition Department, Government of Bihar, Patna.
3. The District Magistrate, Patna.
4. The Director General of Police, Bihar, Patna.
5. The Superintendent of Police, Patna.
6. The S.H.O. of Gardanibag Town Police Station, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Respondent/s : Mr. A.K. Sinha, GA-1

Ms. Aditi Hansaria, AC to GA-1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 05-03-2018

This writ petition has been filed for release of a vehicle in question (Sumo Victa EX Tata) bearing Registration No. BR 25A- 9888, which has been seized in connection with Gardanibag P.S. Case No. 35 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 aforesaid confiscation proceedings and 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, Patna, within a period of one week from the date of furnishing the sureties, and further undertaking to produce the vehicle as and when directed by the District Magistrate, Patna 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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