

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4101 of 2018

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Kumar Deepak Dular, S/o Dular Chand Kapri, R/o- Madarghat Kasba, P.S.-Kasba,
District-Purnea, State-Bihar.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Excise Department, Purnea Division, Purnea.
3. District Magistrate, Purnea.
4. Superintendent of Police, Purnea.
5. Officer-in-Charge, K. Hat, P.S.-K. Hat, District-Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Respondent/s : Mr. ANIL KUMAR SINHA -GA1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 07-03-2018

This writ petition has been filed for release of a vehicle
(Maruti Suzuki Wagon R) bearing Registration No. BR-11X-8235,
Engine No. K10BN4772257, Chassis No. MA3EWDE1S00987228
which has been seized in connection with Kasba P.S. Case No.9 of
2018 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 criminal case, if any, or to be initiated the aforesaid vehicle in question shall be released to the petitioner, on his furnishing Bank Guarantee to the satisfaction of District Magistrate, Purnea, 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 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 Bank Guarantee.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	
CAV DATE	
Uploading Date	12.03.2018
Transmission Date	

