

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.4844 of 2018**

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Rajnikant, aged about 48 years, Son of Lallu Prasad, R/o Piradamadiya,  
(Nandgola), P.O.- Madhomills, P.S.- Malsalami, District- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,  
Government of Bihar, Patna.
2. The Principal Secretary, Excise Department, Government of Bihar, Patna.
3. The District Magistrate-cum-Collector, Patna.
4. The Superintendent of Police, Patna.
5. The S.H.O. Chowk, Police Station Patna.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Alok Ranjan

For the Respondent/s : Mr. KUMAR MANISH- SC5

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date: 20-03-2018**

This writ petition has been filed for release of a vehicle  
(Car) bearing Registration No. BR-01CM-4449 which has been seized  
in connection with Chowk P.S. Case No. 293 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 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, 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 sureties.

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

**(Rajendra Menon, CJ)**

**(Rajeev Ranjan Prasad, J)**

Dilip, AR

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