

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2966 of 2018

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1. Anand Kumar, Son of Vijay Kumar Singh, R/o Village- Birpur, P.S.- Naubatpur, District- Patna.
 2. Dhiraj Kumar, Son of Mithilesh Singh, R/o Patut, P.S.- Rania Talab, Kanpa, Bikram, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna.
2. The Collector, Gaya.
3. The Deputy Collector, Incharge District Law Section, Gaya.
4. The Assistant Excise Commissioner, Gaya.
5. The Superintendent of Excise, Gaya.
6. The Senior Superintendent of Police, Gaya.
7. The Station House Officer of Sherghati (Dobhi), District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Jha, Advocate
For the Respondent/s	:	Mr. A.K. Sinha- GA-1

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-02-2018

This writ petition has been filed for release of a vehicle (Four Wheeler vehicle) bearing Registration No. BR01-PH-1124, which has been seized in connection with Sherghati (Dobhi) P.S. Case No. 603/2016 due to violation of the Excise Act. The prayer made in the writ petition is to release the vehicle in question pending finalization of Confiscation Case No. 294 of 2017 and aforesaid 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 petitioners, on their furnishing Bank Guarantee to the satisfaction of District Magistrate, Gaya 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)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	22.02.2018
Transmission Date	

