

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.775 of 2018

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Dharmajeet Kumar, Son of Baliram Mistri, Resident of Village-Khuti
Kewal Khurd, P.O.-Hantarganj, District-Chatra (Jharkhand).

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Excise and Prohibition
Government of Bihar, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. The District Magistrate-Collector, Gaya.
4. The Superintendent of Police, Gaya.
5. The S.H.O. Sherghari Plice Station, gaya.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Advocate

For the Respondent/s : Mr. Kumar Manish-Sc5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 16-01-2018 This writ petition has been filed for release of a
vehicle (Pulsar 220DTS) bearing Registration No. JH13D-0541
and two mobile sets of Samsung Company bearing EMEI
No.359264/07/248120/2 and 359265/07/248120/9, which have
been seized in connection with Sherghati P.S. Case No.413 of
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 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-cum-Collector, Gaya and further undertaking to produce the vehicle as and when directed by the District Magistrate-cum-Collector, Gaya and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case so as to create third party rights or prejudice the rights of the State in the pending proceedings.

The vehicle in question be released within one week from the date of furnishing the surety bonds.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

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