

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4806 of 2018

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1. Ranjan Kumar Vidyarthi @ Ranjan Kumar, son of Kameshwar Prasad Yadav
2. Niraj Kumar, son of Kameshwar Prasad Yadav
Both resident of village-Harna, P.O.-Mastichak, P.S.-Dariyapur, District-Saran.
.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Siwan.
3. The Superintendent of Police, Siwan, District-Siwan.
4. The Officer in-charge, Bhagwanpur Haat Police Station, District-Siwan.
.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra
For the Respondent/s : Mr. A.K. 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: 21-03-2018

This writ petition has been filed for release of a vehicle
(Scorpio Car) bearing Temporary Registration No.
BR/4/TMP/2018/679, Chassis No.MA1TA2TDKJ2A15918 and
Engine No.TDJ4A79255 which has been seized in connection with
Bhagwanpur Haat P.S. Case No. 36 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 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, Siwan, 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)

Arvind/-

AFR/NAFR	
CAV DATE	
Uploading Date	27.03.2018
Transmission Date	

