

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1935 of 2018

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Dilip Kumar Tiwari, Son of Raghunath Prasad Tiwari. resident of Mohalla-
New Colony Balu Ghat, P.S. Muzaffarpur Town, District- Muzaffarpur at
present residing in Mohalla Ayachi Gram, Road No.1 Kolhua
Paigambarpur, P.S. Ahiyapur, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Excise Department, Govt.
of Bihar, Patna.
2. District Magistrate-Cum- Collector, Muzaffarpur.
3. Superintendent of Police, Muzaffarpur.
4. S.H.O. Muzaffarpur Town P.S. District- Muzaffarpur.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Arun Kumar, Advocate.

For the Respondent/s : Mr. A.K. Sinha, GA 1.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-02-2018 This writ petition has been filed for release of a vehicle

Auto (Tempo) bearing Registration No. BR 06P 5126 which has

been seized in connection with Muzaffarpur Town P.S. Case No.

904/17 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 within a period of one weeks from the date of submission of the surety bonds to the satisfaction of District Magistrate-cum-Collector, Muzaffarpur 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.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Dilip, AR

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