

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3130 of 2018

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Ashok Ray, son of Lal Babu Ray, resident of Roshi Balthi Rasulpur, P.S. –
Mushari, District – Muzaffarpur, Bihar.

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Prohibition Excise & Registration Department,
Government of Bihar, Patna.
3. The Excise Commissioner, Prohibition Excise & Registration Department,
Government of Bihar, Patna.
4. The District Transport Officer, Muzaffarpur.
5. The District Magistrate-cum-Collector, Muzaffarpur
6. The Superintendent of Excise, Muzaffarpur.
7. The Superintendent of Police, Muzaffarpur.
8. The Excise Inspector, Sadar Anchal, Chhata Chowk, Muzaffarpur, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Amit Pandey

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: 22-02-2018

This writ petition has been filed for release of a vehicle
(MAM Bolero Pick Up/2WD BS) bearing Registration No.
BR-06GB-2214 which has been seized in connection with
Excise Case No. 10/2018 arising out of P.R. Case No. 44/2017-
18 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 Bank Guarantee to the satisfaction of District Magistrate, 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. 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.)

Rajeev/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.02.2018
Transmission Date	NA

