

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3012 of 2018

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Gopal Das, son of Vishwanath Das, resident of village - Rampur Naya Tola,
P.S. Azamnagar, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise & Prohibition Department, Govt. of Bihar, Patna.
2. The District Magistrate, Katihar.
3. The Superintendent of Excise, Katihar, District - Katihar.
4. The S.I. Azam Nagar, Police Station, District - Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Respondent/s : Mr. A.K. Sinha- GA1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 23-02-2018

This writ petition has been filed for release of a vehicle in question (Hero Super splendor) bearing Registration No. BR P- 5245, Chassis No. MBLJA05 EMF9D06690 and Engine No. JA05ECF9D06549 which has been seized in connection with Azamnagar P.S. Case No. 265 of 2017, due to violation of the Excise Act. The confiscation proceedings are pending and 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 confiscation proceedings and aforesaid 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, Katihar, within a period of one week from the date of furnishing the sureties, and further undertaking to produce the vehicle as and when directed by the District Magistrate, Katihar and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case.

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

(Rajendra Menon, CJ)

Uday/-

(Anil Kumar Upadhyay, J)

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