

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7468 of 2018

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Nitish Kumar Jaiswal @ Nitish Kumar, S/o Chhangur Prasad, Resident of
Ward No. 4, Dildar Nagara Bazar, Shastri Nagar, P.S. Dildar Nagar,
District- Ghazipur (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Excise Department,
Govt. of Bihar, Patna.
2. The District Magistrate, Kaimur at Bhabua.
3. The Superintendent of Police, Kaimur at Bhabua.
4. The Officer in charge Mohanea Police Station.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate
For the Respondent/s : Mr. Vikash Kumar -SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 23-04-2018 This writ petition has been filed for release of a

vehicle (Scorpio) bearing Registration No. UP65AQ 3155, which

has been seized in connection with Mohania P.S. Case No.124 of

2018 due to violation of the provisions of the Excise Act.

It is common ground that in various cases, identical in
nature, pending finalization of the confiscation/excise/criminal
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/excise proceedings and/or criminal case, the vehicle in question shall be released to the petitioner on the petitioner furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Kaimur at Bhabua 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 during the pendency of the confiscation/excise proceedings and/or 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)

(Rajeev Ranjan Prasad, J)

N.H./-

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