

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7692 of 2018

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Uma Shankar Paswan Son of Pachu Paswan@ Panchu Paswan Resident of
Village- Gulamahiya Chak, P.S.- Didarganj, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Excise Commissioner, Bihar, Patna.
4. The Insepctor General of Police, Bihar, Patna.
5. The District Magistrate/Collector, Patna.
6. The Senior Superintendent of Police, Patna.
7. The Excise Superintendent of Police, Patna.
8. The Officer-in-Charge of Fatuha Police Station, District- Patna.
9. The Investigation officer of Fatuha P.S. Case no.389/17 dated 05.09.2017,
Fatuha Police Station, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate
For the Respondent/s : Mr. Kumar Manish -SC-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 24-04-2018

This writ petition has been filed for release of a



vehicle (Ashok Ley Land-Truck) bearing Registration No. BR-01GD-4718, which has been seized in connection with Fatuha P.S. Case No. 389/2017 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 confiscation proceedings and aforesaid criminal case, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing Bank Guarantee to the satisfaction of District Magistrate, Patna 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)

P.K.P./-

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