

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7314 of 2018

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Dhirendra Kumar Son of Devendra Sharma Resident of Mohalla - HN - 46A,
Marg No. 06, Indrapuri, Keshari Nagar, Patna, P.O. - G.P.O. Patna, Police
Station - Patliputra, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The District Magistrate, Aurangabad.
3. The Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad.
4. The Officer-in-charge, Obra Police Station, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Respondent/s : Mr. Vikash Kumar -SC 11

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 01-05-2018 This writ petition has been filed for release of a
vehicle (Maruti Van) bearing Registration No. BR1AH-6718,
which has been seized in connection with Obra P.S. Case No.
105 of 2016 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, Aurangabad 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)

K.C.Jha/-

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