

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9332 of 2018

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Pawan Kumar, son of Laddu Lal Mahto, Resident of Village- Ward No. 9,
Gandhi Marg, Chaklokman, Dalsingsarai, P.S.- Dalsingsarai, District-
Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The Superintendent of Police, Samastipur.
4. The S.H.O., Dalsingsarai Police Station, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar Singh, 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 22-06-2018 This writ petition has been filed for release of a

vehicle (Pick up Van) bearing Registration No. BR-07GA-3435,

which has been seized in connection with Dalsingsarai P.S. Case

No. 303 of 2017 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 the bank guarantee to the satisfaction of District Magistrate-cum-Collector, Samastipur 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 bank guarantee.

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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