

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12143 of 2018

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1. Bikau Paswan, Son of Ramasushil Paswan, R/o Village and P.O.-
Raiyam, P.S.- Bhairavathan District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department,
Govt. of Bihar, Patna.
2. The Divisional Commissioner, Excise Department, Madhubani Division,
Madhubani.
3. District Magistrate, Madhubani.
4. Superintendent of Police, Madhubani.
5. Officer Incharge of P.S. Pandaul District- Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar
For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 11-07-2018 This writ petition has been filed for release of a vehicle bearing Registration No.Nil, EngineNo.HA10ETFHD5S755, Chasis No.MBLHA10BJFH057772, which has been seized in connection with Pandaul P.S. Case No.188 of 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 aforesaid confiscation proceedings and 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, Madhubani and further undertaking to produce the vehicle as and when directed by the authority concerned and not to alienate to 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 sureties.

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

(Rajendra Menon, CJ)

Sanjeev/-

(Rajeev Ranjan Prasad, J)

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