

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11034 of 2018

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Lalan Kumar, Son of Rameshwar Sah, resident of Village- Lalmaniya, P.S.-
Marouna, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Prohibition, Excise & Registration Department,
Government of Bihar, Patna.
3. The Excise Commissioner, Prohibition, Excise & Registration
Department, Government of Bihar, Patna.
4. The Collector, Madhubani.
5. The District Transport Officer, Madhubani.
6. The Excise Superintend, Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Respondent/s : Mr. Kumar Manish- Sc5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 05-07-2018 This writ petition has been filed for release of a

vehicle (TVS Apache RTR Motorcycle) bearing Registration No.

BR50E 7337, which has been seized in connection with

Andhramath P.S. Case No. 54 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 Bank Guarantee to the satisfaction of District Magistrate-cum-Collector, Madhubani 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 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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