

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11727 of 2018

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Sunil Kumar Yadav, son of Rajeshwar Yadav, Resident of Village- Jamua,
Police Station- Pratappur, District- Chatra (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through it Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The District Magistrate-cum- Collector, Gaya.
3. The Senior Superintendent of Police, Gaya.
4. The Excise Superintendent, Gaya.
5. The S.H.O., Gurua Police Station, Gaya.
6. The Investigation Officer, Gurua Police Station, Gaya. null null

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate
For the Respondent/s : Mr. Vivek Prasad- GP7

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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 (Hero Honda Passion Pro) bearing Registration No. BR-

02Z-9205, which has been seized in connection with Gurua P.S.

Case No. 51 of 2018 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, Gaya 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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