

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12173 of 2018

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Ajay Paswan, son of Balram Paswan, resident of village- Mohalla Pokhra
Mohalla Shahpur, thakurbadi Road, P.S.- Musfil, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary Department of Excise,
Government of Bihar, Patna.
2. The District Magistrate, Aurangabad.
3. The Superintendent of Police, Aurangabad.
4. The Officer in Charge, Deo Police Station, District- Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Leelawati Kumari, Advocate

For the Respondent/s : Mr. Anil Kr. Sinha- GA1

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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 (Motorcycle) bearing Registration No. BR26M3313,

along with seized mobile and cash which has been seized in

connection with Deo P.S. Case No. 84 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 and the seized mobile and cash shall be released to the petitioner on the petitioner furnishing necessary documents and 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, mobile and cash 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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