

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13356 of 2018

Manjit Kumar Soni Alias Manjit Sah, S/O Rajendra Sah, resident of Village-
Sahugarh Janki Tola, Ward No. 3, P.O.- Bhagwanpur, P.S.- Madhepura,
District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Excise
Govt. of Bihar, Patna.
2. The District Magistrate, Araria.
3. The Superintendent of Excise, Araria.
4. The Sub-Inspector Excise, Porbesganj, Anchal Araria, District- Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate
For the Respondent/s : Mr. Vikash Kumar- SC 11

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-07-2018 This writ petition has been filed for release of a
vehicle (Car TATA ZEST) bearing Chasis No. MAT 624031
HPK 26466, Engine No. 100A 2000 -0714580, which has been
seized in connection with Araria Special Case No. 403 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, Araria 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. Valuation of the vehicle in question shall be done as per the valuation shown in the insurance documents.

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/R.S.Sen

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