

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14106 of 2018

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Sanjeet Kumar Mahto Son of Rajendra Mahto Resident of Village -
Baikunthpur Brahanda, P.S. - Ujiarpur, Distt - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Prohibition, Excise and Registration Department, Government of Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The Superintendent of Excise, Samastipur.
4. The Superintendent of Police, Samastipur.
5. The S.H.O. Dalasing Sarai Police Station, Distt - Samastipur.
6. The Investigation Officer of Dalasing Sarai, P.S. Case No. 303/2017 Distt. - Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate
For the Respondent/s : Mr. Anil Kumar Sinha -GA-1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 31-07-2018 This writ petition has been filed for release of a vehicle (Alto 800 VXi White) bearing Registration No. BR 07V 8730, which has been seized in connection with Dalasing Sarai P.S. Case No. 303 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 the bank guarantee to the satisfaction of District Magistrate-cum-Collector, Samastipur 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)

P.K.P./R.S.Sen-

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