

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9962 of 2018

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Lalu Kumar, Son of Sobhit Sah, Resident of Ward no. 8, Banaul, P.S.
Nanpur, District- Sitamarhi, Bihar.

.... 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 District Transport Officer, Muzaffarpur.
5. The District Magistrate-cum-Collector, Muzaffarpur.
6. The Superintendent of Excise, Muzaffarpur.
7. The Superintendent of Police, Muzaffarpur.
8. The officer-in-Charge, Rail Muzaffarpur Police Station, Muzaffarpur,
Bihar.
9. The Excise Inspector Sadar Anchal, Chhata Chowk, Muzaffarpur, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
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 20-06-2018 This writ petition has been filed for release of a
vehicle (Mahindra & Mahindra Scorpio) bearing Registration
No. BR1AK9095, which has been seized in connection with Rail
Muzaffarpur P.S. Case No. 43 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 two surety bonds to the satisfaction of District Magistrate-cum-Collector, Muzaffarpur 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 surety bonds.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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