

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8878 of 2018

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1. Gauri Shankar Ray Son of Vinod Ray Resident of Village-Sabalpur
Fatehpur, P.S.-Didarganj, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise
and Prohibition Department, Government of Bihar, Patna.
2. The Excise Commissioner, Bihar Prohibition and Excise Act 2016
3. The Excise Officer, Bihar Prohibition and Excise Act 2016.
4. The District Collector, District-Hajipur, Vaishali, Bihar.
5. The Superintendent of Police, District-Hajipur, Vaishali, Bihar.
6. The Officer in-Charge of Desari (Chandpura O.P.) Police Station,
District-Hajipur, Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

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 17-05-2018 This writ petition has been filed for release of a vehicle

White Color Scorpio bearing Registration No.BR01-PH-4098,

which has been seized in connection with Desari (Chandpura O.P)

P.S. Case No. 238/2017 due to violation of the Excise Act. The

prayer made in the writ petition is to release the vehicle in

question pending finalization of the confiscation proceedings and

criminal case.

It is common ground that in various cases, identical in

nature, pending finalization of the confiscation 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 aforesaid confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing Bank Guarantee to the satisfaction of District Magistrate, Hajipur, Vaishali 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 or create a third party interest during the pendency of the confiscation proceedings and criminal case or prejudice the right of the State in confiscation proceeding. The aforesaid vehicle shall be released within one week from the date of furnishing of the Bank Guarantee.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

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