

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12250 of 2018

=====

1. Satendra Upadhya @ Satendra Kr. Upadhya @ Satendra, Son of Late Bishwanath Upadhya @ Vishwanath, R/o Village Mirdaspur, P.S.- Saiyadraja, District- Chandauli (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Excise Department, State of Bihar Patna.
2. The Collector cum District Magistrate, Kaimur at Bhabua.
3. The Superintendent of Police, Kaimur at Bhabua.
4. The Station Head Officer, Chand, Kaimur at Bhabua.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Respondent/s : Mr. Vivek Prasad- Gp7

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN

PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 11-07-2018 This writ petition has been filed for release of a vehicle bearing Registration No. UP 67R 6624 which has been seized in connection with Chand P.S. Case No 35 of 2018 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 two surety bonds to the satisfaction of the Collector-cum-District Magistrate, Kaimur at Bhabua and further undertaking to produce the vehicle as and when directed by the authority concerned and not to alienate to 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 sureties.

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

(Rajendra Menon, CJ)

Sanjeev/-

(Rajeev Ranjan Prasad, J)

U		T	
---	--	---	--

