

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14539 of 2018

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Amit Brijbihari Ram, S/o Brij Bihari Ram, Resident of Village- Nawanagar, P.S.- Nawanagar, District- Buxar, Bihar at present residing at Universal Society, Room No. 16, Near Mahalashmi Shopping Centre, Kalyan, P.S.- Kalyan, District- Mumbai, Maharashtra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Government of Bihar, Patna.
2. The District Magistrate, Buxar, District- Buxar.
3. The Superintendent of Police, Buxar, District- Buxar.
4. The Officer-in-Charge-cum Station House Officer, Nawanagar Police Station, District- Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Choubey, 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 01-08-2018 This writ petition has been filed for release of a vehicle (Hero Honda Passion Pro) bearing Registration No. MH-05BA-8126, which has been seized in connection with Nawanagar P.S. Case No. 30 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, subject to verification by the District Magistrate, to the petitioner on the petitioner furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Buxar 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 the surety bonds.

Valuation of the vehicle shall be assessed as per the valuation of the vehicle shown in the insurance papers.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/Uma/-

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