

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15526 of 2018

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Ajay Kumar son of Fulena Singh, R/o village- Meenapur, P.s.- Naya Ganow,
District- Begusarai Petitioner

Versus

1. The State Of Bihar through Home Secretary, Government of Bihar, Patna
 2. The Principal Secretary, Department of Excise and Prohibition,
Government of Bihar, Patna
 3. The District Magistrate-cum-Collector, Samastipur
 4. The Superintendent of Police, Samastipur
 5. The S.H.O., Rosera Police Station, District- Samastipur
- Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Advocate
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 07-08-2018 This writ petition has been filed for release of a

vehicle (Tata Tempo Tiago) bearing Chasis No.

MAT626282JKP39793 and Engine No.

REVTRN02BRYK38426, which has been seized in connection

with Rosera P. S. Case No. 245 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 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.

The vehicle in question be released within one week from the date of furnishing the bank guarantee. Valuation of the vehicle shall be done as per insurance document.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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