

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2928 of 2018

Manoj Kumar, son of Late Sadhu Rai, resident of Village- Hanuman Nagar
Gaon, Police Station- Patrakar Nagar, 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 District Magistrate-cum- Collector, Patna.
3. The Senior Superintendent of Police, Patna.
4. The Superintendent of Police, Excise, Patna.
5. The Officer in Charge, Gopalpur Police Station, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Adv.
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 19-02-2018

This writ petition has been filed for release of a vehicle (Tempo) bearing Registration No.BR-01PD-5330, which has been seized in connection with Gopalpur P.S. Case No.153 of 2017, arising out of Special Case No.5425 of 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/excise proceedings and/or 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/excise proceedings and/or criminal case, the vehicle in question shall be released to the petitioner on his furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Patna and further undertaking to produce the vehicle as and when directed by the District Magistrate-cum-Collector, Patna and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and 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.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/-

U			
---	--	--	--

