

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11682 of 2018

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Sonu Kumar, S/o Satish Prasad, R/o Village- Bhunathi, P.O. + District-
Jehanabad, Presently, R/O Mohalla- Lalji Tola, Gali No.-1, P.O.- Patna
G.P.O., District- Patna

... .. Petitioner/s

Versus

- 1.The State of Bihar, through its Principal Secretary, Excise Department,
Patna (Bihar)
- 2.The Divisional Commissioner, Excise Department, Bihar Divisin, at Patna.
- 3.The District Magistrate, Patna
- 4.The Superintendent of Police, Patna.
- 5.The Sub-Inspector Didarganj, Police Station, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shyama Kant Singh, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP 7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-07-2018 This writ petition has been filed for release of a

vehicle (Tempo) bearing Engine No. S7J8755156, Chasis No.

MBX0003BFVJ521983, which has been seized in connection

with Didarganj P.S. Case No. 43 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 Bank Guarantee to the satisfaction of District Magistrate, Patna 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)

P.K.P./R.S.Sen-

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