

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13443 of 2018

Sanjay Sah @ Sanjay Kumar, Son of Sukhdeo Sah, Resident of Village-
Kurha Bazar, Ward No.10, P.O.+P.S.- Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Excise, Bihar, Patna.
2. The District Magistrate-cum-Collector, District- Begusarai.
3. The Superintendent of Police, District- Begusarai.
4. The Sub Divisional Police Officer, Begusarai. null null
5. The Sub Divisional Officer, Begusarai.
6. The S.H.O., Sahebpur Kamal, Police Station- Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Respondent/s : Mr. Vivek Prasad- GP 7

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 17-07-2018 This writ petition has been filed for release of a vehicle (Scorpio) bearing Registration No. BR 09H 9958, which has been seized in connection with Sahebpur Kamal P.S. Case No. 115 of 2016 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, Begusarai 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. Valuation of the vehicle in question shall be done as per the valuation shown in the insurance documents.

The vehicle in question be released within one week from the date of furnishing the bank guarantee.

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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