

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13529 of 2018

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Nishant Shekhar, Son of Bimla Nand Das, resident of G- 2/5 IIC, Flates Sec. 2, Near Police Station- Vidyadhar Nagar, Jaipur, Rajasthan at Present residing at Sitakunj, Ram Block, S.N. Yadav Lane, Karam Toli, P.S.- Lalpur, District/ Town Ranchi (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Registration, Excise and Prohibition Department, Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Collector, Rohtas, Bihar.
4. The Superintendent of Police, Rohtas, Bihar.
5. The Officer-in- Charge of Bikramganj, Police Station- Bikramganj, District- Rohtas, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pandey
For the Respondent/s : Mr. Vikash Kumar- Sc11

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 30-07-2018 This writ petition has been filed for release of a vehicle (Duster) bearing Registration No. RJ14-CQ-3980, which has been seized in connection with Bikramganj P. S. Case No. 113 of 2017 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, Rohtas 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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