

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14074 of 2018

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Kumar Shibesh, Son of Late Mahesh Jha, Resident of Village-Ward No. 13,
Pipradir Jhajha, P.S.-Jhajha, District-Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Excise, Bihar, Patna.
2. The Principal Secretary, Excise Department, Bihar, Patna.
3. The District Magistrate, Jamui.
4. The Superintendent of Police, Jamui.
5. The Officer In-Charge, Jhajha, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Adv
For the Respondent/s : Mr. Anil Kumar Sinha - GA-1

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

2 25-07-2018 Heard parties.

This writ petition has been filed for release of
Scorpio Four Wheeler bearing No. JH 15K 4964, which has
been seized in connection with Jhaha P.S. Case No. 242 of 2018
due to violation of the Bihar Excise (Amendment) Act, 2016.

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 his furnishing two surety bonds to the satisfaction of the District Magistrate-cum-Collector, Jamui, 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 cause 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 surety bonds.

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

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

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