

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14969 of 2018

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Pankaj Kumar Singh, Son of Harendra Singh @ Harendra Singh, resident of
Village- Narchahi, P.S.- Mali, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Excise Commissioner, Govt. of Bihar, Patna.
2. The District Magistrate, Aurangabad, District- Aurangabad.
3. The Superintendent of Police, Aurangabad, District- Aurangabad.
4. The Excise Superintendent, Aurangabad District - Aurangabad.
5. The Station House Officer, P.S. Mali, District- Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Advocate
For the Respondent/s : Mr. Vikash Kumar- SC-11

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 01-08-2018 This writ petition has been filed for release of a

vehicle (Motorcycle) bearing Registration No. BR 26G- 6344,

which has been seized in connection with Mali P.S. Case No. 09

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, Aurangabad 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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