

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6872 of 2018

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Chandan Kumar, S/o Vishwanath Singh, resident of Village Ahul Kahan
Mani, P.O.- Raksha, P.S. Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary Old Secretariat, Patna.
2. The Principal Secretary, Department of Excise, Bihar, Patna.
3. The Principle Secretary Home Police, Bihar, Patna.
4. The District Collector, Muzaffarpur District Muzaffarpur.
5. The Superintendent of Police (S.P.) Muzaffarpur, District- Muzaffarpur.
6. S.H.O. Karja P.S. Muzaffarpur District Muzaffarpur.

.... Respondents.

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Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad

For the Respondent/s : Mr. Kumar Manish -Sc5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 17-05-2018 This writ petition has been filed for release of a

vehicle (Mahindra Bolero) bearing Registration No. BR 06GA

5878 which has been seized in connection with Karja P.S. Case

No. 01 of 2018 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, Muzaffarpur 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.

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

(Rajendra Menon, CJ)

A.K.V./-

(Rajeev Ranjan Prasad, J)

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