

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5061 of 2018

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Chauthi Paswan son of Khusar Paswan, resident of Village Parjuar Dih Tol
Ward No. 05 P.O. Panjuar, P.s. Arer, District Madhubani.

... .. Petitioner/s

Versus

- 1.The State Of Bihar through its Principal Secretary, Excise Department,
Govt. of Bihar, Old Secretariat, Patna.
- 2.The District Magistrate, Madhubani.
- 3.The Superintendent of Police, Madhubani.
- 4.The S.H.O. Khirhar Police Station, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav
For the Respondent/s	:	Mr. VIKASH KUMAR-SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 23-03-2018 This writ petition has been filed for release of a vehicle (T.V.S Sport) bearing Registration No. BR 32J 2095, which has been seized in connection with Khirhar P.S. Case No. 05 of 2018 due to violation of the Excise Act.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation 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 aforesaid confiscation proceedings



and criminal case, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing two sureties to the satisfaction of District Magistrate, Madhubani 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 or create a third party interest during the pendency of the confiscation proceedings and criminal case or prejudice the right of the State in confiscation proceeding. The aforesaid vehicle shall be released within one week from the date of furnishing of the two sureties.

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

(Rajendra Menon, CJ)

(S. Kumar, J)

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