

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.625 of 2018

Manohar Ray, son of Ramahriday Ray, resident of Village- Chamandih, P.O. Alawalpur, P.S.- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Excise, New Secretariat, Patna, Bihar.
2. The Collector, Patna.
3. The S.P. Patna City.
4. The ASI, P.S. Chauk, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Adv.
For the Respondent/s : Mr. ANIL KUMAR SINHA -GA1

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 16-01-2018

This writ petition has been filed for release of a vehicle (PIAGGIO Tempo) bearing Registration No. BR01APH7002, which has been seized in connection with Chauk P.S. Case No.392/2017 due to violation of the Excise Act. The prayer made in the writ petition is to release the vehicle in question pending finalization of the confiscation proceedings and criminal case.

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 Bank Guarantee to the satisfaction of District Magistrate-cum-Collector, Patna and further undertaking to produce the vehicle as and when directed by the District Magistrate-cum-Collector, Patna and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and 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)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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