

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.755 of 2018

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1. Sujit Kumar, Son of Lallan Singh,
 2. Amarjeet Kumar, Son of Lallan Singh, Both resident of Village-Khoraitha, Police Station- Bikkram, District- Patna.

.... Petitioners

Versus

1. The State of Bihar, through Principal Secretary, Excise and Prohibition Government of Bihar, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. The District Magistrate cum Collector, Aurangabad.
4. The Superintendent of Police, Aurangabad.
5. The S.H.O. Obra Police Station, District Aurangabad.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Advocate
For the Respondent/s : Mr. Kumar Manish-SC5

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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 (Scorpio) bearing Registration No. BR01PG-2619, which has been seized in connection with Confiscation Case No.382 of 2017 arising out of Obra P.S. Case No.109 of 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 two surety bonds to the satisfaction of District Magistrate-cum-Collector, Aurangabad and further undertaking to produce the vehicle as and when directed by the District Magistrate-cum-Collector, Aurangabad 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 surety bonds.

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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