

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1789 of 2018

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1. Ajay Nath Gupta, Son of Late Gopal PrasadGupta @ Gopaljee Prasad Gupta,
Resident of Christian Quarter, Ward No. 8, P.S.-Bettiah, District-West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Prohibition, Excise & Registration Department
Government of Bihar, Patna.
3. The Excise Commissioner, Prohibition, Excise & Registration Department,
Government of Bihar, Patna.
4. The District Magistrate-cum-Collector, Madhubani.
5. The District Transport Officer, Madhubani.
6. The Excise Superintendent, Madhubani.
7. The S.H.O., Sakri Police Station, District-Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Respondent/s : Mr. VIKASH KUMAR- SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 01-02-2018

This writ petition has been filed for release of sewing machine stands, which have been seized in connection with Sakri P.S. Case No.106 of 2017, G.R. No.472 of 2017 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 and other articles 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 articles in question shall be released to the petitioner on his furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Madhubani and further undertaking to produce the articles 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 proceedings and criminal case so as to create third party rights or prejudice the rights of the State in the pending proceedings.

The articles 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/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	10-02-2018
Transmission Date	

