

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4191 of 2018

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Lagan Rai @ Lagan Dev Rai, son of Late Bhujhawan Rai, resident of village- Gyaspur, P.S. Bakhatiyarpur, District- Vaishali at present resident of village- Birpur, P.S. Jurawanpur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar through Secretary of the Home Department, Bihar, Patna.
2. The Collector-Cum-District Magistrate, Vaishali at Hajipur.
3. The Superintendent of Excise, Vaishali at Hajipur.
4. The Excise Officer District Vaishali at Hajipur.
5. The Officer-in-Charge of Police Station, Jurawanpur, District- Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh
For the Respondent/s : Mr. A.K. SINHA- GA1

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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 (Tractor Blue coloured with trailer) bearing Registration No. BR 01GC 6406, which has been seized in connection with Jurawanpur P.S. Case No. 41 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 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 of bank guarantee to the satisfaction of District Magistrate, Vaishali at Hajipur 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 bank guarantee.

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

(Rajendra Menon, CJ)

(S. Kumar, J)

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