

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4619 of 2018

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Bishundev Pauddar @ Lattar Poddar son of late Dina Pauddar, Resident of village Bajjnathpur Ward No. 2, P.s. Sour Bazar, District Saharsa.

... .. Petitioner/s

Versus

- 1.The State Of Bihar through Principal Secretary, Department of Excise and Prohibition, govt of Bihar, Patna.
- 2.The District Magistrate, Saharsa.
- 3.The Senior Superintendent of Police, Saharsa.
- 4.The Officer in Charge of sour Bazar Police station, Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha
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 (Bolero Pik Up) bearing Registration No. BR 11GA 5947, which has been seized in connection with Sour Bazar (Bajjnathpur O.P.) P.S. Case No.599 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, Saharasa 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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