

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12987 of 2018

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Sumant Kumar Mishra

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Respondent/s : Mr. Anil Kumar Sinha -Ga1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 11-07-2018 This writ petition has been filed for release of a vehicle bearing Registration No.BR-07PB/2097 which has been seized in connection with Madhubani (Arising out of Lakhanour (R.S.O.P.) P.S. Case No.31 of 2018 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, Madhubani, and further undertaking to produce the vehicle as and when directed by the authority concerned and not to alienate to 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 sureties.

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

(Rajendra Menon, CJ)

Sanjeev/-

(Rajeev Ranjan Prasad, J)

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