

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12583 of 2018

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Sanjeev Kumar, son of Late Parmanand Munshi, resident of village-
Dalludih, P.S.-Rajganj, District-Dhanbad (Jharkhand)

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Respondent/s : Mr. Kumar Manish- Sc5

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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
(Tata 407 Pick up) bearing Registration No JH 10AM 2414 which
has been seized in connection with Khaira P.S. Case No 265 of
2016 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 Bank Guarantee to the satisfaction of District Magistrate, Jamui and two local sureties belonging to the District concerned with 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. The valuation of the vehicle, in question shall be done as has been shown in the insurance document produced by the petitioner.

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

(Rajendra Menon, CJ)

Sanjeev/-

(Rajeev Ranjan Prasad, J)

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