

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18983 of 2017

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Manmeet Singh, S/o Tajinder Singh, Resident of House No. 112, Chitkohra Bazar, Punjabi Colony, P.S. Gardanibagh, Town & District-Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. Principal Secretary, Department of Excise and prohibition, Govt. of Bihar, Patna.
3. The Superintendent of Police, Aurangabad.
4. Station House Officer, Mufassil Thana, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Shukla, Advocate
For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 16-01-2018

This writ petition has been filed for release of a vehicle (Hywa) Truck bearing Registration No. BR0 1GE-5055, which has been seized in connection with Aurangabad Mufassil P.S. Case No. 27/17 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 confiscation proceedings and aforesaid criminal case, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing Bank Guarantee to the satisfaction of District Magistrate, Aurangabad and further undertaking to produce the vehicle as and when directed by the District Magistrate, Aurangabad 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 a third party interest. 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)

(Anil Kumar Upadhyay, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	17.01.2018
Transmission Date	

