

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5441 of 2018

=====

Kamalawati Devi, Wife of Nagendra Kumar Ram @ Nagendra Ram, Resident
of Village- Machuta Dhebar, P.S.- Daraundha, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,
Govt. of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The Superintendent of Police, Gopalganj.
4. The Officer in Charge, Fulwaria, Police Station, District- Gopalganj.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh
For the Respondent/s : Mr. A.K. SINHA- GA1

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 26-03-2018 This writ petition has been filed for release of a vehicle

(Scorpio) bearing Registration No. BR 29K 4500, which has

been seized in connection with Fulwaria P.S. Case No. 130/2017

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, Gopalganj 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)

veena/-

U			
---	--	--	--

