

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6164 of 2018

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1. Ram Dayal @ Rama Shankar Rai @ Ram Shankar, Son of Sundeswar Ray,
2. Awadesh Rai @ Pappu, Son of Lal Babu Rai,
Both are resident of Villge- Terasiya Diyara, Police Station- Ganga Bridge,
District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Registration,
Prohibition and Excise, Government of Bihar, Patna.
2. The Collector/District Magistrate, Patna, District- Patna.
3. The Excise Superintendent, Patna, District- Patna.
4. The Superintendent of Police, Patna, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh

For the Respondent/s : Mr. VIKASH KUMAR -SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 04-04-2018

This writ petition has been filed for release of a vehicle
(Maruti Alto Car) bearing Registration No. BR1AL 4805, which has
been seized in connection with Alamganj P.S. Case No. 424 of 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, Patna 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)

(Rajeev Ranjan Prasad, J)

Arvind/Dilip

AFR/NAFR	
CAV DATE	
Uploading Date	07.04.2018
Transmission Date	

