

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6968 of 2018

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1. Krishna Kumar, Son of Jyotik Sah, resident of Village Jamalabad, P.S. Ahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Excise, Government of Bihar at Patna.
2. The District Magistrate, Muzaffarpur.
3. Superintendent of Excise, Muzaffarpur.
4. Station House Officer, Minapur Police Station- District- Muzaffarpur.
5. Investigating Officer of Minapur P.S. Case No. 111/18, District Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Respondent/s : Mr. ANIL KR. SINHA- GA1

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 13-04-2018

This writ petition has been filed for release of a vehicle (Maruti Alto 800 VXi BS Car) bearing Registration No. BR06AW-9422, three ATM Cards of State Bank of India, Bank of Baroda and Bank of India, cash of Rs. 5580/- and one mobile phone of Carbon Company which have been seized in connection with Minapur P.S. Case No. 111/2018 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 confiscation proceedings and aforesaid criminal case, the aforesaid vehicle in question, three ATM Cards of State Bank of India, Bank of Baroda and Bank of India, cash of Rs. 5580/- , shall be released to the petitioner, on his furnishing two surety bonds to the satisfaction of District Magistrate, Muzaffarpur 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 sureties.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.04.2018
Transmission Date	NA

