

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7853 of 2018

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Ravi Bhushan Singh, S/o Shyamnarayan Singh, Resident of Village-
Mashrak Barahiya Tola, P.S.- Masrakh, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of
Excise and Prohibition, Government of Bihar, Patna.
2. The Inspector General of Excise and Registration, Govt. of Bihar, Patna.
3. The Collector-cum-District Magistrate, Saran at Chapra.
4. The Superintendent of Police, Saran at Chapra.
5. The Superintendent of Excise, Saran at Chapra.
6. The Sub Divisional Police Officer, Marhwarah, District- Saran.
7. The Station House Officer, Masharak P.S., District- Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

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 ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 28-06-2018

This writ petition has been filed for release of a
vehicle (Four wheeler Mahindra Bolero Pick-up-van) bearing
Registration No. BR-06M-2340, which has been seized in
connection with Masharak P.S. Case No. 369 of 2017 due to
violation of the provisions of the Excise Act.

It is common ground that in various cases, identical in
nature, pending finalization of the confiscation/excise/criminal
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/excise proceedings and/or criminal case, the vehicle in question shall be released to the petitioner on the petitioner furnishing Bank Guarantee to the satisfaction of District Magistrate-cum-Collector, Saran at Chapra 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 during the pendency of the confiscation/excise proceedings and/or criminal case so as to create third party rights or prejudice the rights of the State in the pending proceedings.

The vehicle in question be released within one week from the date of furnishing Bank Guarantee.

We are constrained to pass the aforesaid order in view of the fact that since 24.4.2018 time has been granted, but till date counter affidavit has not been filed.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.jha/-N.H.

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