

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11240 of 2018

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1. Manish Kumar, Son of Raj Kishor Prasad, R/o Village- Janki Asthan,
Braham Asthan Chowk, Ward No-7, P.S.- Sitamarhi, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Bihar, Patna.
2. The Collector/District Magistrate, Sitamarhi.
3. The Superintendent of Police, Sitamarhi.
4. The Excise Superintendent, Sitamarhi.
5. The Excise Inspector, Sitamarhi.
6. The Officer in Charge Sitamarhi, P.S.- Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Respondent/s : Mr. Vivek Prasad -Gp7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 11-07-2018 This writ petition has been filed for release of the old

Mobile of lenovo company and cash of Rs.10,080/- in favour of

the petitioner which has been seized in connection with Sitamarhi

P.S. Case No.127 of 2018 due to violation of the Excise Act. The

prayer made in the writ petition is to release the aforesaid articles

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 such



articles 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 cash of Rs.10,080/- and Mobile (after keeping all the data and another material available on the mobile as evidence) of the petitioner in question shall be released to the petitioner, on his furnishing two surety bonds to the satisfaction of District Magistrate, Sitamarhi.

The aforesaid articles shall be released within one week from the date of furnishing of the sureties.

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

(Rajendra Menon, CJ)

Sanjeev/-

(Rajeev Ranjan Prasad, J)

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