

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13844 of 2018

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Aasmin Pravin @ Yasmin Praveen @ Asmin Praveen, wife of Md. Jasim,
Resident of Village- Khemchand Bigaha, Nanaura, Gondapur, P.S.- Nawada,
District- Nawada.

... .. Petitioner/s

Versus

1.The State of Bihar, through Principal Secretary Excise Department, Bihar,
patna.
2.The District Magistrate,. Nawada Collectorat, District- Nawada.
3.Superintendent of Police, Nawada (Bihar)
4.The Officer-in-charge, Nawada Town (Bundelkhand) Police Station,
District- Nawada
5.Sushil Kumar Sharma, Investigating Officer, Nawada Town (Bundelkhand)
P.S. Case No. 239 of 2018

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate
For the Respondent/s : Mr. Vivek Prasad -GP-7

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 19-07-2018 This writ petition has been filed for release of a

vehicle (E Rickshaw (Toto)) bearing Registration No. BR.27ER-

0967, which has been seized in connection with Nawada Town

(Bundelkahnd) P.S. Case No. 239 of 2018 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 two surety bonds to the satisfaction of District Magistrate-cum-Collector, Nawada 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. Valuation of the vehicle in question shall be done as per the valuation shown in the insurance documents.

The vehicle in question be released within one week from the date of furnishing the surety bonds.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Sunil/R.S.Sen-

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