

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14926 of 2018

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Ram Nand Sao, Son of Late Tilak Sao, resident of Meena Bazar, Kurapur,
Gulzar Bagh, P.S.- Alamganj, Patna City, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar represented through Principal Secretary, Excise Department, Govt. of Bihar, Patna.
2. Thana Incharge, Alamganj, Police Station, Patnacity (Patna).
3. Sri Alok Ranjan, Police Sub- Inspector Alamganj Police Station, Patna City (Patna).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao, 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 07-08-2018 This writ petition has been filed for release of a vehicle (Tempo Piagio) bearing Registration No. BR-1GD-7039, which has been seized in connection with Alamganj P.S. Case No. 88 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 the bank guarantee to the satisfaction of District Magistrate-cum-Collector, 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 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 bank guarantee.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./R.S.Sen-

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