

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14518 of 2018

=====

Rajiv Kumar Singh @ Rajiv Kumar Son of Shambhu Singh Resident of
Shri Ram Park, Street No. 3, Block No. 17, Mandhadungar Main Road,
Police Station - Aji Dem, District - Rajkot (Gujrat) Permanent Address -
Village Parsauni Khas, Police Station - Uchakagaon, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar through the Excise Commissioner, Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The Collector, Siwan.
4. The Excise Superintendent, Siwan.
5. The S.H.O. Guthani P.S. Siwan.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate

For the Respondent/s : Mr. Kumar Manish- SC5

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 01-08-2018 Learned counsel for the petitioner is permitted to
make necessary correction in the application.

This writ petition has been filed for release of a
vehicle (Scorpio S10 MHAWK 7S) bearing Registration No.
GJ03JL 9771, which has been seized in connection with Guthani
P.S. Case No. 140 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, Siwan 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 the surety bonds. Valuation of the vehicle shall be done on the basis of valuation in the insurance documents.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.jha/-

U			
---	--	--	--

