

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14857 of 2018

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Dilip Kumar, Son of Kameshwar Prasad Yadav. Resident of Village- Kharka
Panura, P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary of the Excise Department,
Bihar at Patna.
2. The Collector Cum District Magistrate, Sitamarhi.
3. The Superintendent of Police, Sitamarhi.
4. Excise Inspector, Excise Department, Pupari Anchal, District- Sitamarhi.
5. The Officer In-charge of Police Station, Sadar, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate
For the Respondent/s : Mr. Anil Kumar Sinha – GA 1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 01-08-2018 This writ petition has been filed for release of a

vehicle (Motorcycle Tup Apache) bearing Registration No. BR-

06BE-4490, which has been seized in connection with Excise

Case No. C2/365 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, Sitamarhi 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)

K.C.Jha/Uma/-

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