

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15969 of 2018

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Hardev Singh, Son of Sri Hari Singh, resident of village – Baiharwal, P.S. and
Tahsil – Ajnala, District – Amritsar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of
Excise, Government of Bihar, Patna.
2. The Principal Secretary, Home Police, Bihar, Patna.
3. The District Magistrate, Begusarai.
4. The Superintendent of Police, Begusarai.
5. The S.H. Cheria Bariarpur (Manjhaul), Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Choudhary, Advocate
For the Respondent/s : Mr. Vikash Kumar - SC 11

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 10-08-2018 This writ petition has been filed for release of a

vehicle (Truck) bearing Registration No. PB-02BS-9975, which

has been seized in connection with Cheriya Bariarpur

(Manjhaul) P.S. Case No.133 of 2017 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 Coordinate Bench of 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, Begusarai 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 after ascertaining that the vehicle has not been used in an identical nature of offenses at any earlier point of time.

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

(Dr. Ravi Ranjan, ACJ)

(S. Kumar, J)

K.C.Jha/Uma/-

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