

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.9641 of 2018**

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Anand Pandey @ Aanand Pandey, son of Late Ramjee Pandey, R/o – Gajadharganj,  
P.S. – Buxar (T), District – Buxar.

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Prohibition & Registration Department, Govt. of Bihar, Patna.
2. The Collector-cum-District Magistrate, Buxar
3. The Superintendent of Police, Buxar
4. The Officer-in-Charge, Buxar (Industrial), Police Station – Buxar, District – Buxar.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Roy

For the Respondent/s : Mr. Vikash Kumar- SC11

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**And**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date: 17-05-2018**

This writ petition has been filed for release of a vehicle (Mahindra Jeep Bolero) bearing Registration No. BR44P-1644 which has been seized in connection with Buxar (Industrial) P.S. Case No. 12 of 2018 due to violation of the Excise Act. The prayer made in the writ petition is to release the vehicle in question pending finalization of the confiscation proceedings and criminal case.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation 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 aforesaid confiscation proceedings and criminal case, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing Bank Guarantee to the satisfaction of District Magistrate, Buxar 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 or create a third party interest during the pendency of the confiscation proceedings and criminal case or prejudice the right of the State in confiscation proceeding. The aforesaid vehicle shall be released within one week from the date of furnishing of the Bank Guarantee.

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

**(Rajendra Menon, CJ)**

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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