

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15243 of 2018

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Md. Raja Haque, son of Md. Ainul Haque, resident of Village Topchanchi,
P.S. Topchanchi, District Dhanbad, State Jharkhand and present resident of
Village Nasirchak, P.O. Danapur, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,
Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Superintendent of Police, Gaya.
4. The Superintendent of Excise, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Singh, 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 02-08-2018 This writ petition has been filed for release of a
vehicle (Scorpio) bearing Registration No.JH 10AP/2991, which
has been seized in connection with Excise Case No. 146 of 2017
due to violation of the Bihar Prohibition and Excise Act, 2016.

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 confiscation proceedings and criminal case,



the aforesaid vehicle in question shall be released to the petitioner on his furnishing the bank guarantee to the satisfaction of District Magistrate, Gaya within a period of one week from the date of his furnishing the bank guarantee 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 proceedings and criminal case so as to cause adverse effect or prejudice to the State Government.

The valuation of the vehicle in question shall be done as per the valuation shown in the insurance document.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Sunil/-s.shukla

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