

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13909 of 2018

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Sarjeet Kumar, son of Maheshwar Ray, Residentj of Village- Kishanpur Ward
No. 10, Police Station – Warisnagar, District- Samastipur.

... .. Petitioner/s

Versus

- 1.The State of Bihar, through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
- 2.The Excise Commissioner, Government of Bihar, Patna.
- 3.The District Magistrate, Samastipur.
- 4.The Superintendent of Police, Samastipur.
- 5.The Excise Superintendent, Samastipur
- 6.The Station House Offie, Khanpur, P.S. District, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Respondent/s : Mr. Kumar Manish - SC-5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-07-2018 This writ petition has been filed for release of a

vehicle (White Color Scorpio) bearing Registration No. BR-07-

PB3547, which has been seized in connection with Khanpur P.S.

Case No. 46 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, Samastipur 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)

Sunil/R.S.Sen-

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