

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2414 of 2018

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Jitendra Singh @ Jitendra Kumar, son of Late Ram Lakhan Singh, resident of Mosimpur, P.S.- Khusrupur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Government of Bihar.
2. The Collector, Patna.
3. The Officer-in-Charge of Khusrupur Police Station, Khusrupur, District- Patna.
4. The Investigation Officer of Khusrupur, P.S. Case No.204/2014 P.S. Case No.204/2017, P.S. Khusrupur, District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate

For the Respondent/s : Mr. VIVEK PRASAD-GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 12-02-2018

This writ petition has been filed for release of a vehicle (H.M.T. Tractor with Trailor (DIESEL)) bearing Registration No. BR 1R-3161, which has been seized in connection with Khusrupur P.S. Case No.204 of 2017 due to violation of the Excise Act.

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/or criminal case, the



aforesaid vehicle in question shall be released to the petitioner on his furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Patna 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 create third party rights or prejudice the rights of the State in the pending proceedings.

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/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	15-02-2018
Transmission Date	

