

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10218 of 2018

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Munsi Sahni @ Munshi Choudhari S/o Late Chandra Sahni @ Late Ram Chandra Choudhari Resident of Village - Kumar Pump Bichla Mallah Toli, Post Office - Katra Bazar Samiti Simili Murarpur, Police Station - Didarganj, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Bihar, Patna.
2. The Excise Commissioner, Bihar Prohibition and Excise Act 2016 Department, Patna, Bihar.
3. The Excise Officer, Bihar Prohibition and Excise Act 2016 Department, Patna, Bihar.
4. The District Collector, District - Patna, Bihar.
5. The Superintendent of Police, District - Patna, Bihar.
6. The Officer-in-Charge of Fatuha Police Station, District - Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Respondent/s : Mr. Anil Kumar Sinha -GA1

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 30-07-2018 This writ petition has been filed for release of a Boat of the petitioner, which has been seized in connection with Fatuha P. S. Case No. 507 No. 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 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 Boat in question shall be released to the petitioner on the petitioner furnishing the bank guarantee to the satisfaction of District Magistrate-cum-Collector, Patna and further undertaking to produce the Boat as and when directed by the authority concerned and not to alienate or deal with the Boat 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.

The Boat in question be released within one week from the date of furnishing the surety bonds. Valuation of the Boat shall be done by the District Magistrate, Patna.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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