

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11248 of 2018

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Vijay Sahu, Son of Sri Bahali Sahu, Resident of Village- Hussir, P.S.-
Kankey, District- Ranchi (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Excise,
Govt. of Bihar, Patna.
2. The Collector-cum-District Magistrate, Gaya, Dist- Gaya.
3. The Superintendent of Police, District- Gaya.
4. The Superintendent of Excise, Gaya.
5. The Officer-in-Charge, Dobhi, P.S.- Dobhi, District- Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Respondent/s : Mr. Anil Kr. 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 21-06-2018 This writ petition has been filed for release of a

vehicle (Pulsar Motorcycle) bearing Registration No.

JH01CA/6166, which has been seized in connection with Dobhi

Excise P.S. Case No.86 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 after assessing the current value of the motorcycle to the petitioner on the petitioner furnishing Bank Guarantee to the satisfaction of District Magistrate-cum-Collector, Gaya 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.

The vehicle in question be released within one week from the date of furnishing Bank Guarantee.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.jha/-

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