

30.04.2026
Sl. No.7
Ct. No.237
S.A.

CRR 337 of 2026

Totan Doloi
-vs-
The State of West Bengal

Ms. Sonali Das
Mr. Soumyajit Das Mashapatra
Mr. Madhurai Sinha
Ms. Upasana Banerjee

...for the petitioner

Mr. Prasun Dutta
Ms. Sujata Das

...for the State

The petitioner is aggrieved by the order dated 26.09.2025 passed by the Court of the Learned Additional Chief Judicial Magistrate, Ghatal, Paschim Medinipur in EXR-75 of 2025, arising out of Excise 1st A.S.I.S. Sl. No. 51 of 2025–2026 dated 12.09.2025, under Sections 10 and 18(1) of the Bengal Excise Act, 1909, and punishable under Sections 46A(c) and 52 of the said Act, whereby the prayer for return of the seized vehicle bearing registration no. W.B. 50AA7564 was rejected.

The case of the petitioner is that he is the registered owner of the said vehicle. He contends that continued detention of the vehicle in police custody would cause severe prejudice to him, as the vehicle is likely to deteriorate substantially in value over time.

It is further submitted by the learned advocate appearing on behalf of the petitioner that no confiscation proceedings in respect of the said vehicle have, to date, been initiated by the Excise authorities.

In view of the aforesaid, this Court is of the opinion that, if the vehicle is exposed to corrosive elements of the environment, its value may diminish significantly.

Accordingly, the present application is disposed of with a direction that the seized vehicle be returned to its registered owner upon furnishing an adequate bond to the satisfaction of the Learned Additional Chief Judicial Magistrate, Ghatal, Paschim Medinipur, subject to any order of confiscation that may be passed by the appropriate authority under the Bengal Excise Act, 1909. This is further subject to the condition that the petitioner shall produce the said vehicle before the Learned Magistrate as and when required and shall not transfer, alienate, or alter the nature and character of the vehicle without prior leave of the trial court.

Accordingly, **CRR 337 of 2026** stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)