

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17202 of 2017

=====

Bechan Bind, son of Basant Bind, Resident of Village- Mahuariyan, P.O. Karmanasha, P.S. Durgawati, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary of the Excise Department, Bihar at Patna
2. The Collector cum District Magistrate, Kaimur at Bhabua
3. The Superintendent of Police, Kaimur at Bhabua
4. The Officer in Charge of Police Station, Durgawati, District- Kaimur at Bhabua

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate
For the Respondent/s : Mr. Vivek Prasad - GP7

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 28-11-2017 This writ petition has been filed for release of a vehicle (Motorcycle CB Shine SP) bearing Registration No. BR-45F 5776, which has been seized in connection with Durgawati P.S. Case No. 254 of 2017 due to violation of the Excise Act. The prayer made in the writ petition is to release the vehicle in question pending finalization of confiscation proceedings and criminal case.

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 aforesaid criminal case, the aforesaid vehicle in question be released to the petitioner on his furnishing two surety bonds to the satisfaction of District Magistrate, Kaimur at Bhabua and further undertaking to produce the vehicle as and when directed by the District Magistrate, Kaimur at Bhabua and not to alienate or deal with the vehicle in question or create a third party interest during the pendency of the confiscation proceedings and criminal case.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

U			
---	--	--	--

