

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16968 of 2017**

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Sri Dayal Sharma @ Dayashankar Sharma, Son of Rajneti Sharma, Resident of Village- Maharatha, P.S. - Nuaon, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary of the Home Department, Bihar at Patna.
2. The Collector Cum District Magistrate, Kaimur at Bhabua.
3. The Superintendent of Excise, Bhabua, District Kaimur at Bhabua.
4. The Excise Officer, District- Bhabua.
5. The Officer-in-Charge of Police Station- Nuaon, District- Kaimur at Bhabua.
6. The Officer-in-Charge of Police Station- Ramgarh, District- Kaimur at Bhabua.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate  
For the Respondent/s : Mr. Vikash Kumar -SC11

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**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 (Splendar Plus Motorcycle in Black Colour) bearing Registration No. BR 44A 6676, which has been seized in connection with Ramgarh (Nuaon) P.S. Case No. 292/2017 due to violation of the Excise Act. The prayer made in the writ petition is to release the vehicle in question pending finalization of the 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 shall 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.

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