

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17901 of 2017**

=====

Rajesh Kumar, son of Ganesh Prasad, resident of Mohalla- Baniyapatti,  
Thakur Bari, Police Station- Motihari Town, District- East Champaran,  
Motihari.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of  
Excise, Govt. of Bihar, Patna.
2. The District Magistrate, East Champaran, Motihari.
3. The Superintendent of Police, East Champaran, Motihari.
4. The Officer in Charge, Chhatauni Police Station, District- East  
Champaran.

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate

For the Respondent/s : Mr. Vivek Prasad - Gp -7

=====

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR  
UPADHYAY**

**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      08-12-2017

This writ petition has been filed for release of a  
vehicle in question (Hero Glamour Motor Cycle) bearing  
Registration No. BR 05U- 7911, which has been seized in  
connection with Chhatauni P.S. Case No. 292 of 2016, due to  
violation of the Excise Act. The confiscation proceedings are  
pending and 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, East Champaran, Motihari and further undertaking to produce the vehicle as and when directed by the District Magistrate, East Champaran, Motihari and not to alienate or deal with the vehicle in question 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)**

Uday/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

