

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16255 of 2017**

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Vikash Kumar @ Vikas Kumar Sahani, Son of Omkar Sahani @ Umkar Sahani @ Onkar Sahani, resident of Village- Phultakiya, P.S.- Kesariya, District- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Excise Department, Government of Bihar, Patna
2. The District Magistrate-cum-Collector, East Champaran, Motihari
3. The Senior Superintendent of Police, East Champaran, Motihari
4. The S.H.O., Kesariya Police Station, District- East Champaran
5. The Investigation Officer, Kesariya Police Station, East Champaran

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.  
For the Respondent/s : Mr. Kumar Manish -SC5

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

**ORAL ORDER**

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

2      13-11-2017                      This writ petition has been filed for release of two vehicles one Renault make four wheeler bearing Registration No. BR 06BC-0912 and a Bajaj Pulsar motorcycle bearing Registration No.BR06AY-2119, which have been seized in connection with Kesariya P.S. Case No. 167/2017 registered for the offence under Sections-272, 273, 290 of I.P.C. and 30(a) of Bihar Prohibition and Excise Act, 2016. The prayer made in the writ petition is to release the vehicles 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 aforesaid confiscation proceedings and criminal case, the aforesaid vehicles in question shall be released to the petitioner on his furnishing Bank Guarantee to the satisfaction of District Magistrate, East Champaran and further undertaking to produce the vehicles as and when directed by the District Magistrate, East Champaran and not to alienate or deal with the vehicles 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)**

K.C.Jha/-

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