

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13849 of 2017

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Manoj Choudhary, S/o Sukhdeo Choudhary, Resident of Village- Jhikatiya,
P.S.- Maheshkhoot, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Bihar Excise Department, Patna at Patna.
2. Divisional Excise Commissioner, Munger at Munger.
3. The Collector, Khagaria at Khagaria.
4. The Superintendent of Police, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, 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 22-09-2017 This writ petition has been filed for release of a vehicle (TVS Motorcycle) bearing Registration No. BR34K-5957, which has been seized in connection with Confiscation Case No. 66/2017-18, arising out of Excise Case No. 139C3 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 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 vehicle in question shall be released to the petitioner on his furnishing two surety bonds to the satisfaction of District Magistrate, Khagaria and further undertaking to produce the vehicle as and when directed by the District Magistrate, Khagaria 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)

P.K.P.

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