

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18593 of 2017

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Dularchan Ray @ Majnu Rai, Son of Dharmnath Rai, Resident of Village-
Pojhi, P.S. Derni, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Registration , Excise & Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate -Cum Collector, Saran at Chapra.
3. The Assistant Excise Commissioner, Saran at Chapra.
4. The Superintendent of Excise, Saran at Chapra.
5. The Superintendent of Police, Saran at Chapra.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

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

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-12-2017 This writ petition has been filed for release of a vehicle in question (Passion Pro, Motorcycle) bearing Registration No. BR 04L- 3222, which has been seized in connection with Derni P.S. Case No. 131 of 2016 due to violation of the Excise Act. The confiscation proceedings, being Confiscation Case No. 226 of 2017, 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 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, Saran at Chapra within a period of one week from the date of furnishing the sureties and further undertaking to produce the vehicle as and when directed by the District Magistrate, Saran at Chapra 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)

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