

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5339 of 2018

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Dhiraj Kumar, Son of Ashok Prasad, resident of Begam Ki Haveli, Patna City,
P.S. Khajekala, District Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Department of Home (Police), Government of Bihar, Patna.
2. The Principal Secretary, Food and Civil Supply Department, Government of Bihar, Patna.
3. The Principal Secretary, Excise Department, Government of Bihar, Patna.
4. The District Magistrate, Patna.
5. The Officer In-charge, Bypass (Patna City), Police Station, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar
For the Respondent/s : Mr. VIKASH KUMAR- SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 26-03-2018 This writ petition has been filed for release of a vehicle (Apachi Motorcycle) bearing Registration No. BR 01CX2331, which has been seized in connection with Bypass P.S. Case No. 183/2017 due to violation of the Excise Act.

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, Patna and further undertaking to produce the vehicle as and when directed by the authority concerned 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 or prejudice the right of the State in confiscation proceeding. The aforesaid vehicle shall be released within one week from the date of furnishing of the sureties.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(S. Kumar, J)

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