

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13211 of 2018

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Baidhnath Mahto, son of Yogi Mahto resident of village – Gopalpur, P.S. -
Karaja, District – Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar through the Principal Secretary, Department of
Registration, Excise and Prohibition, Government of Bihar, Patna.

2.The Excise Commissioner, Bihar, Patna.

3.The Director General of Police, Bihar, Patna.

4.The Inspector General of Police, Bihar, Patna.

5.The District Magistrate/ Collector, Vaishali at Hajipur.

6.The Superintendent of Police, Vaishali at Hajipur.

7.The Excise Superintendent, Vaishali at Hajipur.

8.The Officer-in-Charge of Vaishali (Belsar O.P.) P.S. case no. 109/2018,
Vaishali (Belsar O.P) District- Vaishali.

... .. Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Kumar Manish- SC-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-07-2018 This writ petition has been filed for release of a

vehicle (Splendor Plus Motorcycle) bearing Registration No.

BR06 BB 7631, which has been seized in connection with

Vaishali (Belsar O.P.) P.S. Case No. 109 of 2018 due to violation

of the provisions of the Excise Act.

It is common ground that in various cases, identical in

nature, pending finalization of the confiscation/excise/criminal

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/excise proceedings and/or criminal case, the vehicle in question shall be released to the petitioner on the petitioner furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Vaishali at Hajipur 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 during the pendency of the confiscation/excise proceedings and/or criminal case so as to create third party rights or prejudice the rights of the State in the pending proceedings. Valuation of the vehicle in question shall be done as per the valuation shown in the insurance documents.

The vehicle in question be released within one week from the date of furnishing the surety bonds.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./R.S.Sen-

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