

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3980 of 2018

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Reena Devi, Wife of Ram Divakar Rai, Resident of Village-Manorathpur Simaria,
Police Station-Kalyanpur, District-Samastipur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The Excise Commissioner, Government of Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The Superintendent of Police, Samastipur.
5. The Excise Superintendent, Samastipur.
6. The Station House Office, Kalyanpur, P.S. District-Samastipur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

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

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 09-03-2018

This writ petition has been filed for release of a vehicle
(Motorcycle black colour Hero passion Pro) bearing Registration No.
BR-33Q-2089, which has been seized in connection with Kalyanpur
P.S. Case No. 183 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, Samastipur 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 off.

(Rajendra Menon, C.J.)

(Rajeev Ranjan Prasad, J.)

Rajeev/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.03.2018
Transmission Date	NA

