

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.378 of 2018

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Md. Manjar S/o Md. Mustak, Resident of Village-Mohan Kunda, P.S.-Sadar
Thana, District-Purnea

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Excise Department, Government of Bihar, Patna.
2. The Divisional Commercial Excise, Government of Bihar, Patna.
3. The Collector Cum District Magistrate, Katihar.
4. The Superintendent of Police, Katihar.
5. The Officer in-Charge, Balrampur Police Station, P.S. Balrampur (Telta).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey, Adv.
For the Respondent/s : Mr. VIVEK PRASAD- GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 10-01-2018

This writ petition has been filed for release of a vehicle (Glamour Motorcycle) bearing Registration No. BR-11-X-2563, and one Smartphone Model No. **LE-Tv-II 1588** which have been seized in connection with Balrampur P.S. Case No.155 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, Katihar and further undertaking to produce the vehicle as and when directed by the District Magistrate, Katihar and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case. 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)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	11.1.2018
Transmission Date	

