

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4971 of 2018

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Md. Tasveer son of Md. Nehal @ Md. Nihal Alam, resident of village Naya Tola, Ward No. 13, P.S. Puraini, district Madhepura.

... .. Petitioner/s

Versus

- 1.The State Of Bihar through the Principal Secretary, Bihar Prohibition & Excise Department, Government of Bihar, Patna.
- 2.The Excise Commissioner, Bihar Prohibition & Excise Department, Bihar, Patna.
- 3.The Excise Officer, Bihar Prohibition & Excise Department, Madhepura.
- 4.the District Magistrate, Madhepura.
- 5.The Superintendent of Police, district of Madhepura, Bihar.
- 6.The officer in Charge of Bihariganj, Police Station, District madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh
For the Respondent/s : Mr. KUMAR MANISH-SC5

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 23-03-2018 This writ petition has been filed for release of a Motorcycle bearing Registration No. BR 43H 8061, which has been seized in connection with Bihariganj P.S. Case No. 02 of 2018 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 sureties to the satisfaction of District Magistrate, Madhepura 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 two sureties.

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

(Rajendra Menon, CJ)

(S. Kumar, J)

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