

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.5917 of 2018**

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1. Bablu Kumar Yadav @ Bablu Yadav son of Late Baliram Yadav resident of village Chhotka Rajpur, P.S. Simri District Buxar.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Prohibition, Excise and Registration Department, Government of Bihar, Patna.
2. The Excise Commissioner, Prohibition Excise & Registration Department, Government of Bihar, Patna.
3. The District Magistrate, Buxar.
4. The Superintendent of Police, Buxar.
5. The Officer In Charge, P.S. Simri, District Buxar.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar

For the Respondent/s : Mr. Kumar Manish-SC5

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**And**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date: 05-04-2018**

This writ petition has been filed for release of a vehicle (Passion Pro Black Motorcycle) bearing Registration No. BR44D-6263 which has been seized in connection with Simri P.S. Case No. 314 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 confiscation proceedings and aforesaid 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, Buxar, 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)**

**(Rajeev Ranjan Prasad, J)**

Arvind/-

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| AFR/NAFR          | NAFR       |
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