

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.703 of 2018

Vijay Kumar Singh, Son of Ram Naresh Singh, Resident of Mohalla - Ganga
Vihar Colony, West Beur Jail, Patna, P.S. - Beur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Bihar, Patna.
2. The Controller-cum-District Magistrate, Nalanda, Biharsharif.
3. The Superintendent of Police, Nalanda, Biharsharif.
4. The Superintendent of Excise, Nalanda, Biharsharif.
5. The Officer in Charge of Islampur Police Station, District -Nalanda, Biharsharif.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate
For the Respondent/s : Mr. KUMAR MANISH -SC5

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 23-01-2018

This writ petition has been filed for release of a
vehicle (Hero Honda Splendor Plus Motorcycle) bearing
Registration No. BR01AX-6922, which has been seized in
connection with Islampur P.S. Case No. 339/2017 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, Nalanda, Bihar Sharif and further undertaking to produce the vehicle as and when directed by the District Magistrate, Nalanda, Bihar Sharif and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case so as to create a third party interest 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)

(Anil Kumar Upadhyay, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	24.01.2018
Transmission Date	

