

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2181 of 2018

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Akhilesh Kumar, Son of Shri Ram rattan Yadav, Resident of Village-Gulal Chak, P.O. Sohra, P.S. Dulhin Basar, District Patna.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise and Prohibition, Govt. of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Senior Superintendent of Police, Patna,
4. The Excise Superintendent, Patna.
5. The Officer In-Charge, Kadirganj Police Station, District Patna.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Shakti Suman Kumar, Advocate.

For the Respondent/s : Mr. Vikash Kumar, SC 11.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-02-2018 This writ petition has been filed for release of a vehicle Mahindra Bolero Jeep bearing Registration No. BR-01PA-4838 (Engine No. GA94E55564, Chassis No. MA1PL2GAK92E89265) which has been seized in connection with Kadirganj P.S. Case No. 104/17 giving rise to Special Case No. 6888/17 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, within a period of one week from the date of submission of the surety bonds to the satisfaction of District Magistrate-cum-Collector, Patna 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.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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