

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5262 of 2018

Indrajit Kumar son of Mangal Singh, resident of village Ward No. 7 Pachtaki
Yadu, Police Station Bairgania, District Sitamarhi.

... .. Petitioner/s

Versus

- 1.The State Of Bihar through the Principal Secretary, Department of Excise,
Govt. of Bihar, Patna.
- 2.The District Magistrate, East Champaran, Motihari.
- 3.The Superintendent of Police, East Champaran, Motihari.
- 4.The Officer in Charge, Kundwa Chainpur Police Station, District East
Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dhurendra Kumar
For the Respondent/s	:	Mr. VIKASH KUMAR -SC11

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
vehicle (Hero Glamour Motorcycle) bearing Registration No.
BR 06AS 9891, which has been seized in connection with
Kundwa Chainpur P.S. Case No. 138 of 2017 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, East Champaran, Motihari 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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