

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.632 of 2018

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Anil Kumar Sahani, son of Ramakant Sahani, resident of Village- Bhulauli,
Police Station- Guthani, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Excise Department,
Government of Bihar at Patna.
2. The District Magistrate, Siwan, District- Siwan.
3. The Superintendent of Police, Siwan, District- Siwan.
4. The Station Head Officer, Guthani, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Adv.
For the Respondent/s : Mr. A.K. SINHA- GA1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 16-01-2018 This writ petition has been filed for release of a

vehicle (Pulsar Motorcycle) bearing Registration No. UP-52AF-

2898, which has been seized in connection with Guthani P.S.

Case No.235 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 aforesaid confiscation proceedings and 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-cum-Collector, Siwan and further undertaking to produce the vehicle as and when directed by the District Magistrate-cum-Collector, Siwan 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 third party rights or prejudice the rights of the State in the pending proceedings.

The vehicle in question be released within one week from the date of furnishing the surety bonds.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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