

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

**Civil Writ Jurisdiction Case No.4301 of 2018**

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Chandan Kumar @ Chandan Paswan, son of Late Kameshwar Paswan @  
Rameshwar Paswan, R/o Village – Bari Chariyari, P.S. Sarmera, District Nalanda  
..... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Govt. of Bihar, Patna,
  2. The District Magistrate-cum-Collector, Nalanda at Biharsharif, District Nalanda at Biharsharif,
  3. The Supdt. Of Police, Nalanda at Biharsharif, District Nalanda at Biharsharif,
  4. The Excise Superintendent, Nalanda at Biharsharif, District Nalanda at Biharsharif,
  5. The Station Head Officer, Bind Police Station, District Nalanda at Biharsharif.
- ..... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar Singh  
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: 21-03-2018**

Learned counsel for the petitioner is permitted to make necessary corrections in the cause title in course of the day.

This writ petition has been filed for release of a vehicle (Splendor Motorcycle) bearing Registration No. BR-21Q-7612 which has been seized in connection with Bind P.S. Case No. 130 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, Nalanda at Biharsharif, 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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