

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.953 of 2018

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Vijay Kumar Choudhary @ Vijay Choudhary, Son of Late Ram Krishna Choudhary, Resident of Village- Raghunathpur, Police Station- Nokha, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Confiscation Officer, Rohtas at Sasaram.
3. The Superintendent of Police, Rohtas at Sasaram.
4. The Station House Officer, Nokha Police Station, District- Rohtas at Sasaram.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Respondent/s : Mr. A.K.Sinha - GA-1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 18-01-2018 This writ petition has been filed for release of a vehicle (Hero Passion Pro Motorcycle) bearing Registration No. BR-24J-8807, which has been seized in connection with Nokha P.S. Case No.46 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, Rohtas at Sasaram and further undertaking to produce the vehicle as and when directed by the District Magistrate-cum-Collector, Rohtas at Sasaram 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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