

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6506 of 2018

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1. Kamal Devi wife of Sheopujan Rai resident of village - Bhorhan, P.O. - Bhorhan, P.S. Panapur, District - Saran at Chapra.
2. Akhilesh Kumar Yadav son of Suraj Prasad @ Suraj Prasad Yadav resident of village - Lerua, P.O. Tejpurwa, P.S. Marhowrah, District Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise and Prohibition, Government of Bihar, Patna.
2. The Inspector General of Excise and Registration, Govt. of Bihar, Patna.
3. The Collector-cum-District Magistrate, Saran at Chapra.
4. The Superintendent of Police, Saran at Chapra.
5. The Superintendent of Excise, Saran at Chapra.
6. The Sub-Divisional Police Officer, Marhowrah, District - Saran.
7. The Station House Officer, Panapur P.S., District - Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

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 ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 10-04-2018 This writ petition has been filed for release of a vehicle (bike Hero Glamour) bearing Registration No.BR-04T-9408 which has been seized in connection with Panapur P.S. Case No.5 of 2018 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, Saran at Chapra and further undertaking to produce the vehicle as and when directed by the authority concerned and not to alienate to 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 stand allowed and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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