

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7240 of 2018

=====

Keshav Kumar Singh, Son of Kapildev Singh, R/o Village Malkaunia, P.S. Pach
Pokari, O.P. Dhaka, District East Champaran

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The Divisional Commissioner, Muzaffarpur.
3. The District Magistrate-cum-Collector, East Champaran at Motihari.
4. The Superintendent of Police, East Champaran at Motihari.
5. The S.H.O, Kundwachainpur Police Station.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

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

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 18-04-2018

This writ petition has been filed for release of a vehicle
(Hero Honda Motorcycle) bearing Registration No. BR0-5F-9275
which has been seized in connection with Kundwa Chainpur P.S.
Case No. 32/2017 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 confiscation proceedings and aforesaid 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, East Champaran at 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 sureties.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

rrrojha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	23.04.2018
Transmission Date	N/A

