

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

**Civil Writ Jurisdiction Case No.5491 of 2018**

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Rajendra Mistri S/o Banarsi Mistri R/o Vill- Rasauk- Morkahi, P.S. Morakahi,  
Distt. Khagaria.

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Begusarai.
3. The Superintendent of Excise Department, Begusarai.
4. The Officer in charge, Muffasil, Police Station, Begusarai.

.... .... Respondent/s

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**Appearance:**

For the Petitioner/s : Mr. Shubhesh Pandey

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: 28-03-2018**

This writ petition has been filed for release of a vehicle  
(Hero Passion Pro Motorcycle) bearing Registration No. BR-34K-  
4025, Engine No. JA12ABGGFO1642, Chassis No.  
MBL3A12ACGGFO1174 which has been seized in connection with  
Mufassil P.S. Case No. 446 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, Begusarai, 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)**

Dilip, AR

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