

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5634 of 2018

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Vijay Kumar, son of Late Sitaram Ray, resident of Mohalla- Yadav Nagar,
Bhagwanpur P.S.- Sadar, P.O.- Musahari, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State Of Bihar, through the Principal Secretary, Excise Department,
Government of Bihar, Patna
2. The District Magistrate-cum-Collector, Muzaffarpur
3. The Senior Superintendent of Police, Muzaffarpur
4. The Officer-in-Charge, Sadar Police Station, District- Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate
For the Respondent/s : Mr. VIKASH KUMAR- SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 29-03-2018 This writ petition has been filed for release of a

vehicle (Hero Passion PRO Motorcycle) bearing Registration

No. BR06AM- 4792, which has been seized in connection with

Sadar P.S. Case No.421 of 2017 due to violation of the

provisions of the Excise Act.

It is common ground that in various cases, identical

in nature, pending finalization of the

confiscation/excise/criminal 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 criminal case, the vehicle in question shall be released to the petitioner on the petitioner furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Muzaffarpur 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 during the pendency of the 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)

(Rajeev Ranjan Prasad, J)

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