

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6686 of 2018

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1. Lal Babu Prasad Son of Satya Narayan Mahto, Resident of Koiriya Tola,
Main Road Ward No.25, P.S.-Raxaul, District-East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Excise and Prohibition, Govt. of Bihar, Patna.
2. The District Magistrate, East Champaran at Motihari
3. The Superintendent of Police, East Champaran at Motihari,
4. The Officer-in-Charge Raxaul Police Station, District-East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar

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 10-04-2018 This writ petition has been filed for release of a vehicle (Scorpio) bearing Registration No.BR05PA7508 along with Original Registration Certificate as well as 5 Mobile (out of these 3 is Samsung, one of Lenovo and one is of MI company) which has been seized in connection with Mehsi P.S. Case No.40 of 2018 due to violation of the Excise Act. The prayer made in the writ petition is to release the vehicle as well as other articles 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 as well as other articles in question shall be released to the petitioner, on his furnishing two surety bonds to the satisfaction of District Magistrate, East Champaran at Motihari and further undertaking to produce the vehicle as well as other articles 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 as well as other articles 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.

Sanjeev/-

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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