

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18586 of 2017

=====

Vijay Kumar Yadav @ Vijay Yadav, Son of Ram Prasad Yadav, Resident of Village- Harlikhurd, P.S.- Bodh Gaya, District-Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, New Secretariat, Patna. Bihar.
2. The Collector, Gaya.
3. The S.P. Gaya.
4. The ASI, Fatehpur P.S., District-Gaya.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Respondent/s : Mr. Vivek Prasad -Gp7

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 16-01-2018 This writ petition has been filed for release of Motorcycle in question (Hero Glamour) bearing Registration No. BR 02S 7921, which has been seized in connection with Fatehpur P.S. Case No. 257 of 2017, due to violation of the Excise Act. The confiscation proceedings are pending and 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 criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing Bank guarantee to the satisfaction of District Magistrate, Gaya, within a period of one week from the date of furnishing Bank guarantee, and further undertaking to produce the vehicle as and when directed by the District Magistrate, Gaya and not to alienate or deal with the vehicle in question so as to create third party interest during the pendency of the confiscation proceedings and criminal case.

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

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Uday/-

U			
---	--	--	--

