

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8845 of 2018

=====

Azad Kumar, son of Birbal Mahto, R/o Village-Bijahar, P.O-Pawai, P.S-
Aurangabad, District-Aurangabad.

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Respondent/s : Mr. Kumar Manish -Sc5

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN

PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 17-05-2018 This writ petition has been filed for release of a vehicle

Discovered Motorcycle bearing Registration No. BR-2N 8858,

which has been seized in connection with Risiup P.S. Case No.

07/2017 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 Bank Guarantee to the satisfaction of District Magistrate, Aurangabad 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 Bank Guarantee.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

U			
---	--	--	--

