

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10581 of 2018

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Jay Lal Mandal, son of Asharfi Mandal, resident of village- Matiyar Khurd,
P.S.- Sahiyara, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Collector, Sitamarhi.
3. The Deputy Collector, Incharge, District Law Section, Sitamarhi.
4. The Assistant Excise Commissioner, Sitamarhi.
5. The Superintendent of Excise, Sitamarhi.
6. The Superintendent of Police, Sitamarhi.
7. Manish Sarraf, Excise Sub-Inspector of Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, 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 26-06-2018 This writ petition has been filed for release of a vehicle (Motorcycle) bearing Registration No. BR30R-3404, which has been seized in connection with Confiscation Case No.721 of 2017 arising out of Complaint Case No. C2-516 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 confiscation/excise proceedings and/or 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, Sitamarhi 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 confiscation/excise proceedings and/or 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.

The petitioner shall appear before the confiscating authority and shall ensure speedy disposal of the confiscation proceedings.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.jha/- N.H.

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