

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.355 of 2018

Prabhat Kumar, S/o Late Ram Ji Prasad, R/o Village Madhpar, P.S. Ben
District Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department Govt. of Bihar, Patna.
2. The District Magistrate, Nalanda.
3. The Superintendent of Police, Nalanda.
4. The Officer in Charge Bind Police Station Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. AMIT KUMAR JHA , Adv.
For the Respondent/s : Mr. VIKASH KUMAR-SC11

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 10-01-2018

This writ petition has been filed for release of a three wheeler vehicle (tempo) bearing Registration No. BR 21K 1233, which has been seized in connection with Bind P.S. Case No.134 of 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 two surety bonds to the satisfaction of District Magistrate, Nalanda and further undertaking to produce the vehicle as and when directed by the District Magistrate, Nalanda and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case. 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)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	11.1.2018
Transmission Date	

