

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12708 of 2018

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Sharwan Mahto Son of Akhileshwar Mahto Resident of Village Saidpur
Kasmar, P.S. Sonapur in the District of Saran, Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Collector, Saran at Chapra.
4. The Sub Divisional Officer, Saran at Chapra.
5. The Senior Superintendent of Police, Saran at Chapra.
6. The Station House Officer, Nayagaon Police Station, Saran.
7. The Excise Superintendent, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Advocate
For the Respondent/s : Mr. Anil Kumar Sinha -GA-1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-07-2018 This writ petition has been filed for release of a
vehicle (VTS Victor Motorcycle) bearing Registration No. BR-
04W/9703, which has been seized in connection with Excise
Case No. 104/2018 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 confiscation proceedings and aforesaid 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, Saran at Chapra 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 sureties.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

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