

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12878 of 2018**

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Kunti Devi, wife of Jainarayan Yadav, resident of village Chainpur, Manjhi,  
P.S. Manjhi, district Saran ... Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Excise Department,  
Government of Bihar, Patna
2. The District Magistrate, Saran
3. The Superintendent of Police, Saran
4. The Officer-in-Charge, Majhi Police Station, district Saran

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Anant Kumar Bhaskar  
For the Respondent/s : Mr. Vivek Prasad- Gp7

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2     16-07-2018                      This writ petition has been filed for release of TVS  
  
Apache TRT 180 Matte Black motorcycle, bearing registration  
  
no. BR-04R-7557 which has been seized in connection with  
  
Majhi P.S. Case No. 96 of 2018 due to violation of the Bihar  
  
Prohibition and Excise Act, 2016.

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 seen 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 cases, the aforesaid vehicle in question shall be released to the petitioner on his furnishing the two sureties to the satisfaction of the District Magistrate, Saran at Chapra, within a period of one week from the date of his furnishing the sureties 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 proceedings and criminal case so as to cause adverse effect or prejudice to the State Government.

The valuation of the vehicle shall be done as per the valuation shown in the insurance papers.

With the aforesaid, the writ petition stands allowed and **disposed off**.

**(Rajendra Menon, CJ)**

**( Rajeev Ranjan Prasad, J)**

Shamshad/-

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