

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12460 of 2018

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Jitendra Kumar, Son of Late Sita Ram Prasad @ Sita Ram Verma, Resident
of Village- Nimganj, P.S.- Bihar, District- Nalanda.
... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise and Prohibition, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Nalanda.
3. The Superintendent of Police, Nalanda.
4. The Officer Incharge of Bihar Police Station, Nalanda.
... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajnish Kumar, Advocate
For the Respondent/s : Mr. Vivek Prasad- GP-7

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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 (Glamour Motorcycle) bearing Registration No. BRZ1M-0760 and Mobile Phone bearing IMEI No. 8677670383545532 and SIM No. 9572752235 and 6202058042, which have been seized in connection with Bihar P.S. Case No. 124/2018 due to violation of the Excise Act. The prayer made in the writ petition is to release the vehicle and mobile 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 and mobile 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 and mobile as and when directed by the authority concerned and not to alienate or deal with the vehicle and mobile 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 and mobile 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)

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