

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13979 of 2018

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Renu Kumari @ Renu Devi, wife of Vikash Kumar, Daughter of Bishwarajan Mahto, Resident of Village-Bagahi, police Station-Bhagwanpur, District Siwan. At Present Resident of Village-Saghar, Sultanpur Tola, Maghar, Police Station-Bhagwanpur, District Siwan. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Excise Government of Bihar, Patna.
 2. The District Magistrate, Saran at Chapra.
 3. The Superintendent of Police, Saran at Chapra,
 4. The Excise Superintendent, District-Saran at Chapra
 5. The Officer in Charge, Police Station-Manjhi, Saran at Chapra.
- Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate
For the Respondent/s : Mr. Kumar Manish – SC 5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 31-07-2018

This writ petition has been filed for release of a vehicle (Passion Pro Hero Motorcycle) bearing Registration No. BR29Q4422, (Seized with fake Registration No.BR29Q6374) which according to the petitioner is a fake vehicle registration number changed after theft of her vehicle bearing Engine No. HA10ENEHB20176, Chassis No. MBLHA6EHB03168 which has been seized in connection with Manjhi P.S. Case No. 167 of 2016 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 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 criminal case, the aforesaid vehicle in question shall be released to the petitioner on her furnishing two sureties to the satisfaction of District Magistrate, Saran at Chapra within a period of one week from the date of her 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 document.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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