

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14810 of 2018

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Satyendra Mukhiya Son of Madan Mukhiya Resident of Village - Koirgava,
P.S. - Sangrampur, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
3. The Commissioner, Prohibition, Excise and Registration Department, Government of Bihar, Patna. null null
4. The Collector, East Champaran at Motihari.
5. The Superintendent of Police, East Champaran, Motihari.
6. The District Transport Officer, East Champaran at Motihari.
7. The Superintendent of Excise, East Champaran, Motihari.
8. The Motor Vehicle Inspector, East Champaran at Motihari.
9. The Officer-in-Charge, P.S. Datahi, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate
For the Respondent/s : Mr. Vikash Kumar – SC 11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 01-08-2018 This writ petition has been filed for release of a vehicle (Motorcycle) bearing Registration No. BR-225-9562, which has been seized in connection with Sangrampur P.S. Case No. 161 of 2017 due to violation of the provisions of the Excise Act.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation/excise/criminal 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/excise proceedings and/or criminal case, the vehicle in question shall be released to the petitioner on the petitioner furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, East Champaran at Motihari 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/excise proceedings and/or criminal case so as to create third party rights or prejudice the rights of the State in the pending proceedings.

The vehicle in question be released within one week from the date of furnishing the surety bonds.

Valuation of the vehicle shall be assessed as per the valuation of the vehicle shown in the insurance papers.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/Uma/-

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