

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.19304 of 2017**

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Nagendra Prasad. son of Balister Prasad. Resident of Village - Yadopur,  
Dukhaharan, Police Station - Gopalganj, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise,  
Govt. of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Superintendent of Police, Siwan.
4. The Officer in Charge, Nauthan Police Station District - Siwan.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar, Advocate  
For the Respondent/s : Mr. Vikash Kumar- SC 11

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

ORAL ORDER

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

2      04-01-2018              This writ petition has been filed for release of a vehicle  
  
(Hero Motor Cycle HF Deluxe) bearing Registration No. BR  
  
28K-2230, which has been seized in connection with Nautan  
  
P.S. Case No.130 of 2016 due to violation of the Bihar  
  
Prohibition and Excise Act, 2016. 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 criminal case, the aforesaid vehicle in question shall be released to the petitioner on his furnishing two sureties to the satisfaction of District Magistrate, Siwan 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 District Magistrate, Siwan 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.

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

**(Rajendra Menon, CJ)**

**( Anil Kumar Upadhyay, J)**

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