

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.56 of 2018

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Ramesh Kumar, Son of Late Satyadeo Singh, resident of Village- Miscot,
P.S.- Motihari, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Excise Department, Govt. of Bihar, Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Excise Commissioner, Bihar, Patna.
4. The Inspector General of Police, Bihar, Patna.
5. The District Magistrate-cum-Collector, East Champaran.
6. The Superintendent of Police, East Champaran.
7. The Excise Superintendent of Police, East Champaran.
8. The Officer-in-Charge, Chainpur Police Station, East Champaran.
9. The Investigating Officer of Chainpur Police Station, Case No. 155 of 2017, Police Station, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 08-01-2018

This writ petition has been filed for release of a



vehicle (Yahama Gladiator SS Motorcycle) bearing Registration No. BR- 05D-6723, which has been seized in connection with Kundawa Chainpur P.S. Case No. 15 of 2017 due to violation of the Excise Act. 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 aforesaid criminal case, the aforesaid vehicle in question shall be released to the petitioner, if not auctioned, on his furnishing two surety bonds to the satisfaction of District Magistrate, East Champaran and further undertaking to produce the vehicle as and when directed by the District Magistrate, East Champaran and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and criminal case so as to create a third party interest. The aforesaid vehicle 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)

(Anil Kumar Upadhyay, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	09.01.2018
Transmission Date	

