IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2290 of 2018

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1. Baldeo Mukhiya Son of Late Lal Bahadur Mukhiya @ Late Ram Ekabal Mukhiya, Resident of Village-Bara Jairam, P.S.-Chiraiya, District-East Champaran.
2. Baldeo Mukhiya Son of Late Lal Bahadur Mukhiya @ Late Ram Ekbal, resident of Village-Bara Jairam, P.S.-Chiraiya, 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 Collector-Cum-District Magistrate, East Champaran, Motihari,
4. The Superintendent of Police, East Champaran, Motihari,
5. The Superintendent of Excise, East Champaran, Motihari.

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Abhishek Kuamr @ Sonu Babu, Advocate
For the Respondent/s : Mr. Kumar Manish- SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER
(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-02-2018 This writ petition has been filed for release of a vehicle (Motorcycle) bearing Registration No. BR-05-U-9631, which has been seized in connection with Confiscation Case No.130 of 2017 arising out of Kundwachainpur P.S. Case No. 20 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

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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 petitioners on the petitioners furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, East Champaran, 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.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.jha/-

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