

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7706 of 2018**

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Gautam Kumar Singh, son of Akhilesh Kumar Singh, Resident of Village-  
Narhi, P.S. Chandi, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department,  
Patna
2. The District Magistrate, Bhojpur at Ara
3. The Superintendent of Police, Ara
4. The Officer-in-Charge, Ara Town Police Station, District- Bhojpur

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Shiv Prasad Gupta, 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      24-04-2018                      This writ petition has been filed for release of a  
vehicle (Motorcycle) bearing Registration No. BR 03U8665,  
which has been seized in connection with Ara Town P.S. Case  
No. 655/2017 Excise 5929/2017 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, on his furnishing two surety bonds to the satisfaction of District Magistrate, Bhojpur at Ara 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 or create a third party interest during the pendency of the confiscation proceedings and criminal case or prejudice the right of the State in confiscation proceeding. 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)**

**(Rajeev Ranjan Prasad, J)**

P.K.P./-

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