

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5579 of 2018

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Prakash Kumar Singh, son of Ravindra Prasad Singh, R/o new Balbhadrapur R.N.
Path, P.o. & P.S. Laheriasarai, District Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department, Govt. of Bihar, Patna,
2. The Collector, Samastipur,
3. The Superintendent of Police, Samastipur,
4. The Station House Officer, Ujiarpur P.S., District Samastipur,
5. The I.O. of Ujiarpur P.S. Case No. 82/2017, Ujiarpur P.S., District – Samastipur.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Kumar Praveen, Advocate.

For the Respondent/s : Mr. Madan Mohan, AC to SC 5.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 27-03-2018

This writ petition has been filed for release of a vehicle (Bajaj Pulsar 150 C.C.) bearing Registration No. BR33S/1678, Engine No. DHZWFC29184, Chassis No. MD2A11CZ2FWC20082 which has been seized in connection with Ujiarpur P.S. Case No. 82 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, if any.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings, if any, 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 aforesaid confiscation proceedings and criminal case, if any, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing two surety bonds to the satisfaction of Collector cum District Magistrate, Samastipur, 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 / proposed initiation of the confiscation proceedings, 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)

Arvind/-

AFR/NAFR	
CAV DATE	
Uploading Date	29.03.2018
Transmission Date	

