

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11296 of 2018

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Bhagawat Kumar Son of Mohit Lal Sah Resident of Village- Harpur Ghota
P.S. Gaunaha, District- West Champaran under the guardianship of his
father namely Mohit Lal Sah@ Mohitlal Sah, Resident of Village-Harpur
Ghota, P.S. Gaunaha Distt. West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Excise Govt. of Bihar.
2. The Collector, West Champaran at Bettiah.
3. The S.D.O. Narkatiyaganj, West Champaran.
4. The Superintendent of Police, West Champaran at Bettiah.
5. The S.H.O. Gaunaha Police Station, District- West Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, 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 26-06-2018 This writ petition has been filed for release of a

vehicle (Motor Bike (Hero H.F. Delux) bearing Chasis
No.,N;JAR054H9G27939 and Engine No.HA11EPH9F06533,
which has been seized in connection with Gaunaha P.S. Case No.
36 of 2018 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
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 petitioner on the petitioner furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, West Champaran at Bettiah 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/- N.H.

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