

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14521 of 2018

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Harishchandra Prasad Singh, Son of Sukhlal Prasad Siongh, resident of
Village- Fatehpur Bala, P.S.- Musarigharari, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The District Magistrate, Samastipur.
3. The Superintendent of Police, Samastipur.
4. The Station House Officer, Sarairanjan Police Station, Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, 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 01-08-2018 This writ petition has been filed for release of a

vehicle (Motorcycle M. Cycle (HF Deluxe 135 BBK) bearing

Registration No. BR 33Y 8990, which has been seized in

connection with Sarairanjan P.S. Case No. 239 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

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, 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 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. Valuation of the vehicle shall be done on the basis of valuation in the insurance documents.

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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