

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3822 of 2018

Shiv Dayal Prasad, son of Parmeshwar Mahto, Resident of Village- Mangura,
Police Station- Kadirganj in the District of Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Excise, Government of Bihar, Patna.
2. The Principal Secretary, Excise Department, Government of Bihar, Patna.
3. The District Magistrate-cum- Collector, Nawada.
4. The Superintendent of Police, Nawada.
5. The Officer-in- Charge, Nawada Town (Kadirganj) P.S. in the District of Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Navin Sharma, Adv.

For the Respondent/s : Mr. VIKASH KUMAR-SC11

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 05-03-2018 This writ petition has been filed for release of a vehicle (Motorcycle) bearing Registration No. BR-27h-5944, which has been seized in connection with Nawada Town (Kadirganj) P.S. Case No.672 of 2016 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, Nawada 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)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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