

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9171 of 2018**

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Sheikh Lalbabu @ Md. Lalbabu, Son of Md. Indu @ Sheikh Iadu, Resident of Village- Khujlah, P.S.- Nautan, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Excise Department, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Superintendent of Police, East Champaran.
4. The District Magistrate-cum-Collector, East Champaran.
5. The Dy. Superintendent of Police, East Champaran.
6. The S.H.O. Paharpur Police Station, District- East Champaran.
7. The Investigating Officer Paharpur, P.S. Case NO. 194 of 2017, Paharpur Police Station, District- East Champaran.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Anuj Kumar, Advocate  
For the Respondent/s : Mr. Vivek Prasad- Gp7

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      17-05-2018                      This writ petition has been filed for release of a vehicle (Bolero Pickup Van) bearing Registration No. BR05G 1729, which has been seized in connection with Paharpur P.S. Case No. 194/2018 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, East Champaran 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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