

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1095 of 2018**

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Shaukat Ali, son of Md. Yaseen Kuraishi, resident of 308, Abubkar Nagar,  
P.S.- Deoria, District – Deoria (U.P.).

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise, Prohibition & Registration Department, Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, Siwan.
3. The Superintendent of Excise, Siwan.
4. The Superintendent of Police, Siwan.
5. The Officer In charge, Mairwa Police Station, Siwan.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Prabhakar Singh, Advocate  
For the Respondent/s : Mr. Vikash Kumar -SC11

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE ANIL KUMAR**  
**UPADHYAY**

ORAL ORDER

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

2      18-01-2018      Learned counsel for the petitioner is permitted to make necessary correction in paragraph-7 of the application.

This writ petition has been filed for release of a vehicle (Bolero Pickup) bearing Registration No.UP 52-T-2708 which has been seized in connection with Mairwa P.S. Case



No.413 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.

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 aforesaid confiscation proceedings and 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-cum-Collector, Siwan and further undertaking to produce the vehicle as and when directed by the District Magistrate-cum-Collector, Siwan and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and 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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