

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.6236 of 2018**

=====

Subodh Ram, son of Late Gaya Ram @ Late Baijo Ram, resident of village –  
Suryapura, P.S. – Surajgarha, District – Lakhisarai.

.... .... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Excise Department,  
Government of Bihar, Patna.
2. The Collector cum District Magistrate, Lakhisarai.
3. The Superintendent of Police, Lakhisarai.
4. The S.H.O. Surajgarha Police Station, District – Lakhisarai.

.... .... Respondents

=====

**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar

For the Respondent/s : Mr. Kumar Manish- SC5

=====

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**And**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL JUDGMENT**

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

**Date: 05-04-2018**

This writ petition has been filed for release of a vehicle  
(Honda Motorcycle) bearing Registration No. BR-09W-4204 which  
has been seized in connection with Surajgarha P.S. Case No.  
171/2017 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 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, Lakhisarai 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)**

Arvind/-

|                   |            |
|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 07.04.2018 |
| Transmission Date | NA         |

