

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6451 of 2018

=====

Golu @ Abhinash Nishad, Son of Harendra Sahani, Resident of 136, Dujra
Devi Asthan, Dujra Rajapul, P.S.- Budha Colony, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The District Magistrate, Patna.
3. The Officer-in-Charge of Budha Colony Police Station Patna.
4. The Investigating Officer of Budha Colony P.S. Case No. 209 of 2017, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate
For the Respondent/s : Mr. Kumar Manish- SC-5

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 12-04-2018 This writ petition has been filed for release of a

vehicle (TVS Apache Motorcycle) bearing Registration No. BR

01BW7533, which has been seized in connection with Budha

Colony P.S. Case No. 209/2017 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, Patna 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./-

U			
---	--	--	--

