

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2618 of 2018

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Lalbahadur Mukhiya, son of Vilat Mukhiya, Resident of Ward No. 02,
Bisrahiya, P.S. Dhaka, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna
2. Director General of Police, Bihar, Patna
3. The Collector-cum-District Magistrate, East Champaran
4. The Superintendent of Police, East Champaran
5. The S.H.O., Kundwa Chainpur, P.S. East Champaran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ansul, Advocate
For the Respondent/s : Mr. KUMAR MANISH -SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 13-02-2018

This writ petition has been filed for release
of a vehicle (Hero Honda Splendor Motorcycle) bearing
Registration No. BR-05Q-3460, which has been seized
in connection with Kundwa Chainpur P.S. Case No.



36/2016 due to violation of the Excise Act. The prayer made in the writ petition is to release the vehicle in question pending finalization of Confiscation Case No. 21/2016 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, 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./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	15.02.2018
Transmission Date	

