

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8863 of 2018

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1. Chandar Yadav, Son of Nunulal Yadav, Resident of Village- Manikpur,
P.S.- Fulkaha, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Govt. of Bihar, Patna.
2. The District Magistrate, Araria.
3. The Superintendent of Police, Araria.
4. The Police Inspector-cum-Officer-in-charge, Fulkaha Station, District-
Araria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar

For the Respondent/s : Mr. Vikash Kumar- Sc11

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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

Motorcycle TVS Apache RTR 160 bearing Chassis
No.MD634BE4XH2H60859, Engine No. BE4HH2160168 which
has been seized in connection with Forbesganj P.S. Case No.
34/18 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 Bank Guarantee to the satisfaction of District Magistrate, Araria 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 Bank Guarantee.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

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