

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9319 of 2018

=====

Santosh Mahto @ Santosh, son of Late Sone Mahto, Resident of Village-
Gandhinagar Katrahiya Dilawarpur Darbhanga, P.S.- Sadar, District-
Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Govt. of Bihar, Patna.
2. The District Magistrate, Darbhanga.
3. The Senior Superintendent of Police, Darbhanga.
4. The Deputy Superintendent of Police Sadar, Darbhanga.
5. The Officer-in-charge of Bahadurpur Police Station of Darbhanga
District.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha

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

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 16-05-2018 This writ petition has been filed for release of a vehicle

(Hero Honda Splendor Motorcycle) bearing Registration No. BR-
07AA-3474, which has been seized in connection with
Bahadurpur P.S. Case No. 400/2017 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, Darbhanga 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/-

U			
---	--	--	--

