

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10047 of 2018

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Rohit Kumar Choudhary

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun 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 18-05-2018 This writ petition has been filed for release of a vehicle (Apache white coloured motorcycle) bearing Registration No.BR-09-T-6841 and two mobile phones Samsung Make Mobile Phone bearing IMEI No.355631071286085 & IMEI No.355632071286083 & Vivo Android Mobile bearing IMEI No.864165032545226 & 864165032545234, which have been seized in connection with Dalsingsarai P.S. Case No.239 of 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 as well as mobile phones 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 along with two mobile phone bearing IMEI aforesaid, in question shall be released to the petitioner, on his furnishing two surety bonds to the satisfaction of the Superintendent of Police, Samastipur and further undertaking to produce the vehicle as and when directed by the authority concerned and not to alienate to 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 stand allowed and disposed of.

(Rajendra Menon, CJ)

Sanjeev/-

(Rajeev Ranjan Prasad, J)

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