

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13143 of 2018

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Mohan Sahani, Son of Ram Lakhan Sahani @ Lakhan Sahni, Resident of
Village- Raghunathpur, P.S.- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Excise,
Government of Bihar, Patna.
2. The District Magistrate, East Champaran.
3. The S.H.O. Palanwa, Police Station, District- East Champaran.
4. The Principal Secretary, Home Police, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon, Adv.
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 16-07-2018 This writ petition has been filed for release of Passion

Pro motorcycle, bearing registration no. BR-05Q-6920 which

has been seized in connection with Palanwa P.S. Case No. 33 of

2018 due to violation of the Bihar Prohibition and Excise Act,

2016.

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 seen 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 criminal cases, the aforesaid vehicle in question shall be released to the petitioner on his furnishing the two sureties to the satisfaction of the District Magistrate, East Champaran at Motihari, within a period of one week from the date of his furnishing the sureties 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 during the pendency of the confiscation proceedings and criminal case so as to cause adverse effect or prejudice to the State Government.

The valuation of the vehicle shall be done as per the valuation shown in the insurance papers.

With the aforesaid, the writ petition stands allowed and **disposed off**.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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