

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10485 of 2018

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Jay Kumar @ Amit Kumar, son of Sikendra Yadav, Resident of Village-
Battinahi, P.S. Salkhuwa, Presently residing at Kayastha Tola, Ward No. 30,
P.S. Ithari, District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department.
2. Sub Divisional Magistrate, Saharsa
3. Superintendent of Police, Saharsa
4. Deputy Superintendent of Police, Saharsa
5. Officer-in-Charge, Sadar Police Station Traffic Control, District- Saharsa

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Respondent/s : Mr. Vikash Kumar- SC-11

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 18-06-2018 This writ petition has been filed for release of a
vehicle (Royal Enfield Motorcycle) bearing Chassis No.
ME3U3S5C1HC826598, which has been seized in connection
with Sadar P.S. Case No. 1109/2017 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, Saharsa 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./-

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