

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13257 of 2018

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Barun Sahni, Son of Ram Preet Sahni resident of Vaillage Satlakha P.S.
Rahika Distt Madhubani

... .. Petitioner/s

Versus

- 1.The State of Bihar through the Principle Secretary Excise Dept. Govt. of Bihar
- 2.The Superintendent of Police Madhubani
- 3.The In Charge of Jainagar Police Station Distt Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate
For the Respondent/s : Mr. Anil Kumar Sinha -GA1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 11-07-2018 Office objection ignored.

This writ petition has been filed for release of a vehicle (Motorcycle Passion Pro) bearing Registration No. BR-32Q 3259, which has been seized in connection with Jainagar P.S. Case No. 129 of 2018 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, Madhubani 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)

P.K.P./R.S.Sen-

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