

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15365 of 2018

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1. Manoj Kumar, Son of Asarfi Das, Resident of Village- Math Kolasi,
Post- Ahirauliya, P.S.- Chiraiya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Excise Department,
Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate, East Champaran.
3. The Superintendent of Police, East Champaran.
4. The SHO, Chiraiya Police Station, East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, 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 06-08-2018 This writ petition has been filed for release of a vehicle

Hero H.F. Deluxe Motorcycle bearing Chassis

No.MBLHAR201JGD16178 and Engine No.HA11ENJGD15915,

which has been seized in connection with Chiraiya P.S. Case No.

199 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 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, East Champaran 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/-

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