

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6185 of 2018

Chhabila Yadav, Son of Shree Jagdish Yadav, Resident of Village-Phalपुरa,
P.O.-Nainपुरa, P.S.-G.B. Nagar Tarwara, Distt Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Department of Excise,
Government of Bihar, Patna.
2. The District Magistrate, Siwan.
3. Superintendent of Excise, Siwan.
4. S.H.O., Mairwa Police Station, District-Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amir Alam, Advocate
For the Respondent/s : Mr. Kumar Manish -SC5

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-04-2018

For the present, office objection is ignored.

This writ petition has been filed for release of a vehicle (Passion Pro motorcycle) bearing Registration No. BR 29Q-8853, which has been seized in connection with Mairwan P.S. Case No. 259/2017 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 criminal case and other proceedings to be initiated.

It is common ground that in various cases, identical in nature, pending finalization of the confiscation proceedings/criminal case 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 criminal case and other proceedings to be initiated, the aforesaid vehicle in question shall be released to the petitioner, on his furnishing two surety bonds to the satisfaction of District Magistrate, Siwan 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 criminal case and other proceedings to be initiated. 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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