IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2514 of 2018

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Bablu Kumar S/o Ram Ishwar Yadav @ Ishwar Yadav R/o Village - Asthawan, P.S.- Asthawan, District - Nalanda (Bihar).

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Excise Department, Government of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Nalanda.
3. The Superintendent of Police, Nalanda.
4. The District Supply Officer, Nalanda.
5. The S.H.O. Ashtawan, Nalanda, District - Nalanda at Biharsharif.

.... Respondents

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Appearance :
For the Petitioner/s : Mr. Raj Kishor Prasad
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 JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)
Date: 22-02-2018

This writ petition has been filed for release of a vehicle (Motorcycle) bearing Registration No. BR-21R-0838 which has been seized in connection with Asthawan P.S. Case No. 228 of 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

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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 two surety bonds to the satisfaction of District Magistrate, Nalanda at Biharsharif, 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.)

Rajeev/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.02.2018
Transmission Date	NA

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