

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1345 of 2018

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Biresh Kumar Singh, Son of Rabindra Singh, R/o Village- Baleshra, P.S.- Daudpur,
District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner Excise Department, State of Bihar, Patna.
2. The Collector cum District Magistrate, Saran at Chapra.
3. The Superintendent of Police, Saran at Chapra.
4. The Officer-in-Charge of Daudpur Police Station, District- Saran at Chapra.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Respondent/s : Mr. KUMAR MANISH -SC5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 30-01-2018

This writ petition has been filed for release of a vehicle (Hero Splendor Plus Black Motorcycle) bearing Registration No. BR-4U 3370, which has been seized along with a sum of Rs.38580/- in connection with Daudpur P.S. Case No.184 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 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 along with the amount in question shall be released to the petitioner on his furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Saran at Chapra and further undertaking to produce the vehicle and the amount in question as and when directed by the District Magistrate-cum-Collector, Saran at Chapra and not to alienate or deal with the vehicle or the amount in question during the pendency of the confiscation proceedings and criminal case so as to create third party rights or prejudice the rights of the State in the pending proceedings.

The vehicle and the amount in question be released within one week from the date of furnishing the surety bonds.

With the aforesaid, the writ petition stands allowed and disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	01-02-2018
Transmission Date	

