

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1869 of 2018

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Om Prakash Mandal, Son of Prabhu Mandal, resident of Village- Rasuar
Ward No. 5, Post Office- Mungraha, Police Station- Marauna, District-
Supaul.

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Department of Excise & Prohibition, Government of Bihar, Patna.
2. The District Magistrate, Supaul.
3. The Excise Superintendent, Supaul.
4. The Officer-in-charge, Marauna, Police Station, District- Supaul.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Ansul, Advocate.

For the Respondent/s : Mr. Deepak Kumar, AC to SC 5.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-02-2018 This writ petition has been filed for release of a vehicle

Heo Glamour Motorcycle bearing Registration No. BR 50D-5108,

(Engine No. JA06EJF9D09408, Chassis No.

MBLJA06AMF9DO9268) which has been seized in connection

with Nirmali P.S. Case No. 069/17 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 two surety bonds, within a period of one week from the date of submission of the surety bonds to the satisfaction of District Magistrate-cum-Collector, Supaul 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.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Dilip, AR

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