

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13441 of 2018

=====

Mithu Mukhiya, Son of Mangal Mukhiya, resident of viallge- Amana, Post-
Majhaura, P.S.- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

- 1.The State of Bihar through Principal Secretary, Excise Department,
Government of Bihar, Patna.
- 2.The District Magistrate, District- Sitamarhi.
- 3.The Superintend of Police, District -Sitamarhi.
- 4.The Excise Inspector, District -Sitamarhi.
- 5.The S.H.O. of Sursand, District- Sitamarhi.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, 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 13-07-2018 This writ petition has been filed for release of a

vehicle (Hero H.F Delux motor cycle) bearing Registration No.

BR- 30S - 1719, which has been seized in connection with G.O.

Case No. 47 of 2018 due to violation of the provisions of the

Excise Act.

It is common ground that in various cases, identical in
nature, pending finalization of the confiscation/excise/criminal
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/excise proceedings and/or criminal case, the vehicle in question shall be released to the petitioner on the petitioner furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Sitamarhi 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 during the pendency of the confiscation/excise proceedings and/or criminal case so as to create third party rights or prejudice the rights of the State in the pending proceedings. Valuation of the vehicle in question shall be done as per the valuation shown in the insurance documents.

The vehicle 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)

(Rajeev Ranjan Prasad, J)

K.C.Jha/R.S.Sen

U			
---	--	--	--

