

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14042 of 2018**

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Ramabati Devi @ Rambali Devi, Wife of Ranjeet Sah, Resident of Ward No.6, Siswaniya Tola (Hasanpur), Sugauli, P.S.- Sugauli, District- East Champaran, Bihar.

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Excise, Govt. of Bihar, Patna.
2. The District Magistrate, East Champaran at Motihari.
3. The Superintendent of Police, East Champaran at Motihari.
4. The Dy. Superintendent of Police, Sadar Motihari, East Champaran.
5. The S.H.O. of Motihari (Town) Police Station, East Champaran at Motihari.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate

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 ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      02-08-2018

This writ petition has been filed for release of a vehicle (Yellow Piaggion Tempo) bearing Registration No. BR05PA7556, which has been seized in connection with Motihari (Town) P.S. Case No. 342 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, East Champaran at Motihari 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.

The vehicle in question be released within one week from the date of furnishing the surety bonds. Valuation of the vehicle shall be done on the basis of valuation in the insurance documents.

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

**(Rajendra Menon, CJ)**

**(Rajeev Ranjan Prasad, J)**

K.C.jha/- N.H.

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