

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13837 of 2018

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Imran Alam, Son of Md. Ali Hasan, Resident of Village- Prakash Nagar, Ward No.12, P.O.- Narkatiaganj, Police Station- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise & Prohibition Department, Government of Bihar, Patna.
2. The Excise Commissioner, Bihar, Patna.
3. The District Magistrate, West Champaran at Bettiah.
4. The Superintendent of Police, West Champaran at Bettiah.
5. The Superintendent of Excise, West Champaran at Bettiah.
6. The S.H.O. Ramnagar Police Station, District- West Champaran.
7. The Sub-Inspector of Police, Ramnagar Police Station, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra
For the Respondent/s : Mr. Kumar Manish -Sc5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 30-07-2018 This writ petition has been filed for release of a vehicle (Motorcycle) bearing Registration No. BR22AD-6672, which has been seized in connection with Ramnagar P. S. Case No. 135 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, West Champaran at Bettiah 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 as per insurance document.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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