

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11498 of 2018**

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Sadhu Yadav, son of Shambhu Ray, resident of village- Jaisinghpur Jathara,  
P.s.- turkaulia, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Excise, Prohibition & Registration Department, Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, East Champaran, Motihari.
3. The Superintendent of Excise, East Champaran, Motihari.
4. The Superintendent of Police, East Champaran, Motihari.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sangeet Deokuliari, Advocate

For the Respondent/s : Mr. Anil Kumar Sinha -GAI

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

**ORAL ORDER**

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

2      05-07-2018                      This writ petition has been filed for release of a vehicle ( Motorcycle ) bearing Registration No. BR 05X 0642, which has been seized in connection with Turkaulia P.S. Case No. 584 of 2017 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 Bank Guarantee to the satisfaction of District Magistrate-cum-Collector, East Champaran, 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 Bank Guarantee.

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

**(Rajendra Menon, CJ)**

**(Rajeev Ranjan Prasad, J)**

K.C.jha/-

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