

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6323 of 2018

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Md. Sanaullah, son of Md.Azimullah, resident of village-Chainpura P.S.-
Para, District-Muzaffarpur, at present residing at Mohalla – Saraiyaganj
behind Baba 555 Sana Watch Center, P.S.-Town, District – Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Excise Department,
Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Muzaffarpur.
3. The Senior Superintendent of Police, Muzaffarpur.
4. The Officer in-charge, Sadar Police station, District-Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh

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 10-04-2018 This writ petition has been filed for release of a vehicle

(Hero Glamour Motorcycle) bearing Registration No.BR06Z-5271

which has been seized in connection with Sadar P.S. Case No.421

of 2017 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 to the satisfaction of District Magistrate-cum-Collector, Muzaffarpur and further undertaking to produce the vehicle as and when directed by the authority concerned and not to alienate to 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. The aforesaid vehicle shall be released within one week from the date of furnishing of the sureties.

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

(Rajendra Menon, CJ)

Sanjeev/-

(Rajeev Ranjan Prasad, J)

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