

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9283 of 2018

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Sonadhari Kumar @ Sonadhari Rai, son of Sudarshan Ray, resident of
Village-Neknam Tola, P.S.-Barhara, District-Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department,
Government of Bihar, Patna.
2. The District Magistrate, Bhojpur at Ara.
3. The Superintendent of Police, Bhojpur at Ara.
4. The Deputy Superintendent of Police, Bhojpur at Ara.
5. The Superintendent of Excise, Bhojpur at Ara.
6. The Station House Officer, Barhara, Bhojpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

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 17-05-2018 This writ petition has been filed for release of a vehicle

(Motorcycle) bearing Registration No. BR-03U-6795 and a

Mobile phone of Samsung company, which have been seized in

connection with Barhara P.S. Case No. 236 of 2017 due to

violation of the Excise Act. The prayer made in the writ petition is

to release the vehicle/mobile 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/mobile 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 proceedings and aforesaid criminal case, the aforesaid vehicle in question/mobile shall be released to the petitioner, on his furnishing two surety bonds to the satisfaction of District Magistrate, Bhojpur at Ara 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 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/mobile shall be released within one week from the date of furnishing of the sureties.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

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