

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9490 of 2018

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Md. Merag Khan @ Mohammad Meraj Khan, son of Md. Mainuddin Khan,
resident of village-Tajpur Kurra, P.S.-Dildarnagar, District-Ghazipur (U.P.)
.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of
Excise, Govt. of Bihar, Patna.
 2. The Superintendent, Excise, Kaimur at Bhabua.
 3. The Superintendent of Police, Kaimur at Bhabua.
 4. The S.H.O. Kudhani Police Station, District-Kaimur at Bhabua.
- Respondent/s

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Appearance :

For the Petitioner/s : Mr. Parwej Khan
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 16-05-2018 This writ petition has been filed for release of a vehicle

(TVS Sport Motorcycle) bearing Registration No. UP-61AH 1693,

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

08 of 2018 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 confiscation proceedings and aforesaid 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, Kaimur at Bhabua 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 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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