

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13185 of 2018

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Bikash Kumar, son of Subodh Shah, Resident of Ward No. 12, Belahi Road,
Sheharbanni, P.S. Shrhbarbanni, District- Khagaria.

..... Petitioner/s

Versus

- 1.The State of Bihar Through the Principal Secretary, Department of Excise
Patna- Bihar.
- 2.The District Magistrate, Siwan.
- 3.The Superintendent of Police, Siwan.
- 4.The Officer-in-Charge, Andar Police Station, Siwan.

.. .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Respondent/s : Mr. Vikash Kumar- SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 13-07-2018

This writ petition has been filed for release of a
vehicle (Pulsor Motorcycle) bearing Registration No.
MP04JM1342, which has been seized in connection with Andar
P.S. Case No. 51 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 two surety bonds to the satisfaction of District Magistrate-cum-Collector, Siwan 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. Valuation of the vehicle in question shall be done as per the valuation shown in the insurance documents.

The vehicle in question be released within one week from the date of furnishing the surety bonds.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/R.S.Sen

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