

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.462 of 2018**

=====

Kunal Kumar, Son of Sri Brij Bhusan Prasad, resident of Mohalla- Rajendra  
Nagar Madhubani, Police Station- K. Hat, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Excise Department, Purnea Division, Purnea.
3. District Magistrate, Purnea.
4. Superintendent of Police, Purnea, District- Purnea.
5. Officer-in-Charge, Sadar Police Station, District- Purnea.

... .. Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Vikram Singh, Adv.  
For the Respondent/s : Mr.

=====

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

**ORAL ORDER**

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

2     16-01-2018                      This writ petition has been filed for release of a vehicle (Apache Motorcycle) bearing Registration No. BR 11-V-3125, which has been seized in connection with Sadar P.S. Case No.266 of 2016 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, Purnea and further undertaking to produce the vehicle as and when directed by the District Magistrate-cum-Collector, Purnea and not to alienate or deal with the vehicle in question during the pendency of the confiscation proceedings and 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 the surety bonds.

**(Rajendra Menon, CJ)**

**( Anil Kumar Upadhyay, J)**

K.C.Jha/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

