

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2694 of 2017

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Vipin Kumar, S/o Radha Krishna Singh @ Ravindra Singh, R/o Village-
Kari, P.S.- Sandesh , District- Bhojpur Ara.

.... Petitioner/s

Versus

1. State of Bihar Through Excise Superintendent of Bhojpur (ara).
2. District Superintendent, Bhojpur (Ara).
3. Superintendent of Police Bhojpur (Ara).
4. Officer In Charge, P.S.- Ara- Nawada, District- Bhojpur (Ara). null null

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.
Mr. Anand Kumar Ojha, Adv.
For the Respondent/s : Mr. Kumar Ravish, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 04-01-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner has prayed for release of the vehicle
Honda Shine Motorbike bearing Reg.No.BR03M-3675 which has
been seized by the police on 30.08.2017 in connection with Pawna
P.S. Case No.42 of 2017 for the offence under Sections 30, 38 and
47 of the Bihar Excise Act, 2016.

Learned counsel for the petitioner relies upon a
Division Bench order of this Court dated 19.09.2017 passed in
CWJC No.13670 of 2017 and submits that the petitioner is ready
and willing to abide by the terms and conditions which may be
imposed by this Court.



In the facts and circumstances of the case, let the vehicle of the petitioner be released on petitioner's furnishing surety to the satisfaction of the District Magistrate, Bhojpur at Ara with regard to the value of the vehicle worth Rs.50,000/-. Such release of the vehicle is in the nature of ad interim custody and the petitioner shall furnish undertaking not to alienate the vehicle or deal with it adverse to the interest of the State. Petitioner shall be obliged to produce the vehicle before the Collector-cum-District Magistrate, Bhojpur at Ara as and when directed. The release shall also be subject to result of the decision in LPA No.1647 of 2015 where a question as to whether the Collector can pass an order of confiscation is pending consideration.

The writ application stands disposed of.

(Rajeev Ranjan Prasad, J)

Arvind/-

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