

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.1714 of 2018**

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Devender Kumar Singh, son of Late Ram Samujh Singh @ Ram Sambhu Singh,  
resident of village- Panki, Ward No.10, Near Shiv Mandir, Police Station- Silao,  
District- Nalana.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Confiscation Officer, Nawada.
3. The Superintendent of Police, Nawada.
4. The Superintendent of Police, Excise, Nawada.
5. The Officer-in-charge, Roh Police Station, District- Nawada.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Respondent/s : Mr. KUMAR MANISH- SC5

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

**ORAL JUDGMENT**

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

**Date: 30-01-2018**

This writ petition has been filed for release of a vehicle (Motorcycle Passion Pro) bearing Registration No. BR-21J-4823, which has been seized in connection with Confiscation Case No.09(M) of 2017 arising out of Roh P.S. Case No.65 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, Nawada and further undertaking to produce the vehicle as and when directed by the District Magistrate-cum-Collector, Nawada 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.

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

**(Rajendra Menon, CJ)**

**(Anil Kumar Upadhyay, J)**

K.C.jha/-

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