

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6939 of 2018

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Ravi Kumar @ Ravi Jaiswal, Son of Late Ram Narayan Prasad, Resident of
Mohalla- Bhabhua, Ward No.18, P.O. and P.S.- Bhabhua, District- Kaimur, Bihar.
..... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Excise Dept., Bihar, Patna.
 2. The Collector, Kaimur at Bhabhua.
 3. The Superintendent of Police, Kaimur at Bhabhua.
 4. The Officer-in-Charge, Bhabhua Police Station, District- Kaimur.
- Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha

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 JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 17-04-2018

This writ petition has been filed for release of a vehicle (Bajaj Pulsar Motorcycle) bearing Registration No. BR45H6567, a mobile phone and cash of Rs.36,000/- which have been seized in connection with Bhabhua P.S. Case No. 117/18 due to violation of the Excise Act. The prayer made in the writ petition is to release the vehicle/mobile/cash 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/mobile/cash 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/mobile/cash in question shall be released to the petitioner, on his furnishing two surety bonds to the satisfaction of District Magistrate, Kaimur at Bhabhua after preparation of Panchnama 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/mobile/cash 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/-

AFR/NAFR	
CAV DATE	
Uploading Date	24.04.2018
Transmission Date	

