

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6557 of 2018

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1. Nand Kishore Jayswal @ Nand Kishore Sah, Son of Late Kapildeo Sah,
Resident of Mohalla- Roopganj, (Imamganj), P.S- Chapra Town, District-
Saran.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Excise and
Prohibition, Government of Bihar, Patna.
2. The collector-cum-District Magistrate, Chapra, Saran.
3. The Superintendent of Police, Chapra, Saran.
4. The Superintendent of Excise, Chapra, Saran.
5. The Officer-in-Charge, Chapra Town Police Station, District- Chapra,
Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer

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 10-04-2018 This writ petition has been filed for release of a vehicle
(Hero Passion Pro Motorcycle) bearing Registration No.BR04W-
3709 which has been seized in connection with Chapra Town P.S.
Case No.109 of 2018 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, Chapra, Saran and further undertaking to produce the vehicle as and when directed by the authority concerned and not to alienate to 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 shall be released within one week from the date of furnishing of the sureties.

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

(Rajendra Menon, CJ)

Sanjeev/-

(Rajeev Ranjan Prasad, J)

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