

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8053 of 2018

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Sriram Kumar Yadav @ Ram Kumar Yadav, son of Pradeep Yadav,
resident of village – Posdaha, Ward No.9, Police Station – Narpatganj,
District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of
Excise and Prohibition, Government of Bihar, Patna.
2. The District Magistrate cum Collector, Araria.
3. The Superintendent of Police, Araria.
4. The Officer in-charge of Fulkaha Police Station, District – Araria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam, Advocate

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 26-04-2018 This writ petition has been filed for release of a

vehicle (Hero HF Deluxe, Colour – RBK, Motorcycle) bearing

Registration No. BR-38K- 5372, which has been seized in

connection with Special Case No.3065 of 2017 arising out of

Fulkaha P.S. Case No.125 of 2017 due to violation of the

provisions of the Excise Act.

It is common ground that in various cases, identical in

nature, pending finalization of the confiscation/excise/criminal

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 confiscation/excise proceedings and/or criminal case, the vehicle in question shall be released to the petitioner on the petitioner furnishing two surety bonds to the satisfaction of District Magistrate-cum-Collector, Araria 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 during the pendency of the confiscation/excise proceedings and/or 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)

(Rajeev Ranjan Prasad, J)

K.C.jha/-

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